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ABSTRACT

Although persons who want to censor school materials frequently organize their censorship attempts carefully and thoroughly, the school administrators and teachers under attack rarely are prepared to combat censorship activities. The articles in this journal issue inform educators about issues and current trends in censorship and suggest strategies that may be used in dealing with censorship attempts. Topics include preparing in advance for full-scale censorship campaigns; recent trends in censorship of books for adolescents; censorship and cultural conflict; recent censorship controversies in communities throughout the country; the rationale for obscenity laws; the dangers of recent trends involving censorship of sexist and racist books; court litigation related to censorship; and recent objections to the teaching of secular humanism in the schools. (GW)

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Organized Censors Rarely Rest

A Special Issue on Censorship
Edited by Edward B. Jenkinson

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An Editorial: The Organized Censors Rarely Rest

During the year that I have served as chairman of the NCTE Committee on Censorship, I have been struck by the notion that the organized censors of school materials seemingly require little sleep. I can draw no other conclusion after reading reports of censorship incidents sent to the NCTE Committee from teachers throughout the country. Whenever I read about an attempt at censorship that seems to be organized, I discover that the censors have frequently prepared—or secured—lengthy criticisms of the books under attack and have carefully mobilized groups within the community to support their cause.

As I read about the work of the organized censors, I find myself applauding their hard work even though I disagree completely with their ideas. I must give the censors credit for their efforts; they are willing to spend countless hours preparing a campaign, organizing groups, reading reviews of books, and preparing the battle plans for their attacks. In short, they do their homework well. The organized censors know what they are doing.

As I read the reports of censorship incidents, I am also struck by the fact that the administrators and teachers under attack rarely are prepared for the onslaught. Despite the fact that NCTE, the National Council for Social Studies, the American Library Association, and other professional groups have been publishing procedures to combat censorship activities for several decades, most teachers and administrators under attack report that they were either unaware of such model procedures or had not taken the time to adapt them for their school system. For example, one principal who called me for help noted that his school system did not have a written policy for selection of materials, did not have a philosophy for the teaching of literature, and did not have a set of procedures for dealing with complaints. Before calling me, the principal had called administrators in 27 nearby school systems, seeking help. Some of the school systems were very large, but only one could provide the principal with a model set of procedures. The rest had nothing to offer. No wonder the censors are increasingly successful; they know that the schools are not ready for them. All the censors have to do is spend a number of sleepless nights preparing for the battle while the teachers and administrators sleep.

I know that teachers of English spend many nights grading papers and preparing lesson plans instead of getting eight hours of sleep, but I urge you

to spend several more nights with relatively little sleep until you have done the following:

1. Read or reread Ken Donelson's *The Students' Right to Read*, which is available from the National Council of Teachers of English.

2. Ordered copies of the inexpensive pamphlet, *The Students' Right to Read*, for the principal, superintendent, and members of the school board.

3. Joined the Indiana Council of Teachers of English and the National Council of Teachers of English.

4. Urged all of your colleagues to join the NCTE and ICTE. (We must have strong professional organizations to succeed.)

5. Subscribed to the *Newsletter on Intellectual Freedom*, which is published by the Intellectual Freedom Committee of the American Library Association, 50 East Huron Street, Chicago, IL 60611.

6. Talked with your school librarian about book selection policies and procedures for handling complaints and read the model procedures published by the American Library Association.

7. Made certain that your department has a written statement of its philosophy for teaching literature.

8. Made certain that your department has a written policy for the selection of teaching materials.

9. Made certain that your department has a written set of procedures for dealing with complaints and made certain that your principal, superintendent, and school board members are familiar with that set of procedures.

10. Read all of the articles in this journal.

11. Discussed, with teachers of all disciplines, the possibility of conducting in-service training programs or conferences on censorship.

12. Written rationales for all of the controversial books that you teach.

The completion of those 12 tasks may cause you to lose some sleep, but I think you will be grateful for those restless nights—particularly if the censors visit your school. Remember that this is a textbook adoption year for Indiana. Remember also that censorship is definitely on the increase. And finally, don't forget that the organized censors rarely rest and that they have experienced enough victories recently to pull them through many a sleepless night.

Censorship: Tactics and Strategies

Three years ago, we teachers of English were shocked when the mass media reported stories of violence, fire bombings of schools, and threats to teachers caused by objections to materials used in the schools of Kanawha County, West Virginia. We were also shocked by the fact that many of the materials objected to were the same ones we used in our own schools. The books and other teaching materials were distributed by large, respected publishers, and they were selected by up-to-date teachers in accordance with national trends toward individualization of instruction, toward the inclusion of minority literature, toward the emphasis on the contributions of various cultures to American society, and toward the focus on the teaching of critical thinking skills.

Prior to Kanawha County, censorship in America had been, for the most part, a local or a very regional activity in which a parent or a small group of parents objected to a book because of "bad language" or "sex." But in Kanawha County, the objections were not only to the traditional targets of censors—"bad language" and explicit or suggestive sexual scenes in literature—but also to texts and teaching methods that were labeled "anti-God," "anti-American," and "anti-parent." Furthermore, Kanawha County was not an incident in which a small group participated; rather, it was a campaign waged, in part, by outsiders who were to use their roles in the chaos in the Charleston schools as credentials to organize censorship campaigns in other schools across the country.

The purpose of this article is not to rehash the turmoil of the Kanawha County schools or to delve into the unique economic or social factors that were also prime contributors to that tragedy. Rather, the purpose of this article is to give advice, based on reports and testimony given to the committees on censorship for both the Indiana Council of Teachers of English and the National Council of Teachers of English, on how to prepare in advance for full-scale attacks like the one in Kanawha County. The lesson from that explosion is clear for the rest of us. Like the overwhelming majority of personnel in the nation's schools, the teachers and administrators in Kanawha County were not prepared for the censors' attacks on the goals of the curriculum, on teaching methods, on teaching materials, and on teachers themselves.

The secret to a successful defense against censorship attacks is the development of well-planned policies for textbook adoption and for curriculum planning and the careful preparation of procedures for handling complaints.

Policies adopted by school corporations provide systematic procedures for selection and review of materials. In addition, they spell out areas of responsibility for implementing the policies. Another of the advantages of written policies is that the complaining party cannot accuse the board, administration, or teachers of operating without official sanction or "behind closed doors."

Most states specifically mandate materials selection to local school boards and their executive agents, i.e., school personnel. Since all adopted board policies are carefully scrutinized by legal counsel (supposedly), this gives added weight to the argument that the school is operating well within its area of legal responsibility.

Another benefit of policy statements is that they protect school personnel from having to shoulder individual blame or criticism. Policies tend to make the entire corporate structure responsible. (It's a bureaucratic dodge, but it works.) Frequently, individuals or groups may try to force a hasty decision to remove books by phone calls, letters, or other pressure. Being able to respond with "We will follow school policy in this matter" gives the individual or school time to consider options. A final comment on policies: If schools were as well organized in curriculum as they are in the letting of contracts for heating oil and school buses, they would have few, if any, complaints, and none they could not successfully resolve.

Even if schools have well thought out policies for curriculum development, many still succumb to pressure from censors because they have no clear procedures for handling complaints. A common tactic is for a censor to call a principal or school board member and paint such a horrible picture of what's going on in a class that the principal, for example, feels that he has no choice but to censor the materials and censure the teacher. Even if the school official later finds he was given a completely distorted view of what was happening, he may be reluctant to call the complainer back and reverse his decision.

Occasionally, a would-be censor will call many school officials—from the department chairman to the president of the board. All the censor needs is to find one ally in the chain of command and if he or she has a foothold that is hard to dislodge. For this reason, the first step in a procedure to handle complaints is to notify everyone in the chain of command of the complaint, giving as much information about the complaint as possible. Here is where a carefully written rationale, listing the goals and how the materials and methods in a course meet those goals, is very important. All people likely to be contacted by censors should have a copy of the course rationale.

The second step to be taken is to try to get the complaint in writing. The NCTE "Citizen's Request For Reconsideration of a Book" is a good form to use, but schools can develop their own and broaden it to include films and

methods if they want. The complainant should be sent the form right away. For one thing, it helps make clear what the objection is. It also forces the complainant to make the objection specific, and, in some cases, it leads the censor to see that there really isn't too much to complain about. This frequently happens when a parent reads the whole book or story and not just the lines he or she objected to while glancing through a child's homework assignment. Another advantage of the form is that no complaint really has any legal standing until it's in writing. Then the laws of libel apply. This is especially important if the character of a teacher or school official is being attacked in the complaint.

After the complaint is received in writing, it should be acted upon, not discarded. A complainant is entitled to a courteous, professional response. One action is to ask the complainant to come in for a conference with the teacher and a department chairman or principal to talk out differences. Another is to refer the complaint to a review committee. The committee's task should not be to decide whether the material goes or stays, but to examine the material in light of the goals and methods of the course and recommend whether that particular material is suited to them. Simply because there are other materials that will do is not a reason to remove the materials objected to. If they perform in a valuable way toward the purpose of the course, they have a right to be read and studied in that course. The question is a pedagogical one and should always center on criteria of selection for, not exclusion from, the curriculum. Finally, the committee's findings should be reported to the complainant.

Anticipate—always anticipate! It is important to remember that an objection to any material can come at any time. There are no safe materials, although some may reasonably be thought to be more controversial than others. The NEA's investigative panel sent to Kanawha County listed the failure of school officials to anticipate objections as a leading cause of the problem.

School officials should be aware of conditions in most schools that tend to cause dissatisfaction that generates censorship. For example, many complaints stem from students who dislike or fear their instructors. They are students with whom the instructor has never established effective rapport or those to whom he or she has been unable to communicate goals satisfactorily. Breakdown in teacher-student communication is a major cause of censorship problems, especially when mature or controversial subjects are being taught. Some students, especially those driven by self doubt and guilt, use teachers and school work as a means of getting sympathy from parents, or of shifting the guilt to the teacher by deliberately exaggerating their reactions to things that are said or read in hopes of a sympathetic home response. Moreover, teachers, too, who think they are going to reform or reshape community values overnight through their classrooms show a poor understanding of how such things as community values work. Their attempts at social reform may generate censorship.

Sound curriculum policies and carefully planned and executed procedures for handling complaints, coupled with intelligent anticipation (not

fear) of objections to curriculum, are the best passive defense against censorship.

But there is another type of censor, well organized and financed, who knows how to use the press and certain elements of the community to, at the least, ban materials from the school, and at the most, gain control of the curriculum. The passive defense described here will not be enough to handle this kind of all-out, community-wide censorship offensive. Different strategies and countertactics must be available.

The purpose of a community-wide campaign is to generate so much pressure from local public opinion that a school board cannot refuse to remove certain materials, outlaw certain methods (such as role playing), or cut certain courses (sociology is a frequent target) from the school curriculum. Some groups are now calling for all teachers to submit to polygraph tests and others for teachers to be forbidden to attend in-service meetings where any kind of values training is discussed. Obviously, this goes beyond the traditional goals of the censor of school programs.

Community pressure will be generated in a number of ways. Materials will be carefully scrutinized and objectionable parts sent out of context to parents, church leaders, and local political figures. These same cuttings will appear in letters to the editor of the local newspaper and be called in to radio public opinion broadcasts. These cuttings are available nationwide from a central clearing house, with commentary, for every textbook up for adoption in the country. In addition, ministers will be approached and asked if they think the "scandal" in the local schools should be mentioned in a sermon. Also, students may be asked to report on assignments or teacher behavior that "shocked" them.

A public meeting may be held to discuss "the problem in the school." Radio spots of an inflammatory nature will be broadcast that make the community's and children's fate hinge on the meeting's outcome. Public displays of curriculum materials will be arranged with "guides" to facilitate parent's finding the "filth, smut, anti-American, anti-Christian" parts. A book called *Textbooks on Trial* will appear, first in religious bookstores, then in general bookstores and newsstands. The local newspaper, which has for the past year been decrying the decline of the English language, the lack of basics, and high teacher salaries, will cover and recover this latest of grass roots movements.

The end result of this "softening-up" period is the formation of a citizen's group "... To Save Our Schools," "... For Decent Literature," "... Return To The Basics." This becomes the action arm of the censoring group. It will be their function to confront the board or superintendent with a list of demands which, in effect, substitutes their curriculum policy for the school board's. They may also have candidates for the board entered in the coming election.

Once again, advance planning and thinking on courses of action should take place in the school. Anticipation is the key. If an outside group can build a pressure organization, so can the school. Letters to the editors, for example, can be sent by teachers and friends of the school giving the other

side of the story. They can also monitor the call-in radio shows and defend the materials when they are being attacked by callers. There are many liberal church groups who would not like to see the school curriculum out of the hands of the school board and under the control of some other group—a review board or policy committee, for example. School officials should have a list made beforehand of ministers, local political leaders, and others who would support them in a clash over the curriculum.

The school should hold its own textbook displays frequently and show the course rationales and have teachers available who are willing to discuss and defend their selections. In addition, the board should designate one of its administrators to serve as a press officer to issue press releases of board actions, statements, and policies. Such a person, who should be familiar with public relations work, could prove invaluable in preventing the censors from hogging all the press and media coverage. He or she should also be readily available to the media for explanations of policy and procedure and defense of the curriculum.

School personnel could be active in getting the community to organize a local "Right To Read Council" to inform the community of the dangers of censorship and the loss of academic freedom in the schools. After all, if materials can be kept out of the hands of students, how long before they can be removed from bookstores as well? The council can hold meetings, show films, buy radio time, and issue press releases, too. In addition, the council can be at the school board meeting when the "Citizens Committee to Reform the Schools" appears to take a stand for the freedom to read and study.

Schools should also anticipate that many teachers, students, administrators, and even school board members will side with the censors. The more support for censorship within the school, the more pressure against it has to be gleaned from the community. Once again, anticipation is the key to success.

The year ahead, with English adoptions in Indiana and elsewhere, will see more censorship activity than ever before in our schools. If the schools realize that now more than ever before in our history they have to justify and defend their views of what getting an education means in a free society; they will get their curricular house in order. Then freedom of enquiry in our schools will survive. Otherwise, the darkness descending on our classrooms and our children's intellects will not be the result of an energy shortage.

Censorship Comes to Adolescent Literature

Only a few years back, most English teachers and librarians would hardly have associated adolescent books with censorship. Censorship was something presumably reserved for books like *The Scarlet Letter*, *The Catcher in the Rye*, *Elmer Gantry*, *The Grapes of Wrath*, *A Farewell to Arms*, *Main Street*, or *Of Mice and Men*. Censorship was reserved for adult literature, preferably *avant garde* writers.

And up till a few years ago, most English teachers would have been right. True, the old dime novels (actually nickel novels) had caused innumerable problems for young people and parents and some teachers before the turn of the Twentieth Century, but books in the usual hardbound format specifically written for young people were generally unlikely to cause any problems for anyone—kids, or parents, or teachers, or librarians. Highly regarded early books like Booth Tarkington's *Seventeen* treated adolescents unrealistically and condescendingly, and other books written for young people circa 1895 to 1941 safely eschewed anything remotely controversial or subversive or dangerous, settling for "viable, relevant, meaningful, thrust-filled" themes like Boy Scouts, our holy wars, mysteries, pirates, hunting, sports, romances, airplanes and other inventions, and career or the world of daily work books. Essentially, the moral stances of these books were conservative and safe and traditional, albeit doubtless sincere, espousing values like the good side (ours and God's) always wins in war; evil and good are easily distinguishable; sports and inventions are part of the world, or of all of us; the outdoor life is always good for us; education is to be taken seriously; good manners are essential and ultimately work to our benefit; foreigners are not to be trusted; humanity can win out over every adversity; good always triumphs over evil; and work in and of itself is a positive good always advancing a man towards a good goal.

Later books in the 1940's and 1950's tended to follow pretty much what earlier adolescent literature had been. At times it seemed that most girls' books were being written by Rosamond duJardin or Anne Emery or Betty Cavanna, while most boys' books seemed to be written by Henry Gregor Felsen. Whoever wrote most of these books, they tended toward a sameness of them, a kind of "Honey-Watch-Out-What-You're-Doing-Or-You'll-Be-Hurt-But-Honey-Goes-Ahead-Anyway-and-She-Learns-That-Parents-Know-What's-Best," which reads today like a museum piece, once popular, now not clear why. These books tended to emphasize much the same kind of

conservative, traditional, safe values earlier embraced plus a few not earlier touched: fast driving kills; fast marriages don't last; fast money is bad money; fast actions will be regretted; fast dates are dangerous; fast decisions about alcohol (or drugs or smoking or sex or marriage) will be regretted; fashionable attitudes are dangerous attitudes; and society is, in the final analysis, going to prove right so there is no point in objecting to society or fighting it.

By the 1950's, taboos of adolescent literature were well established. With some glaring and most infrequent exceptions, there would be no sexuality or sensuality in adolescent books (only innocence before marriage), no protests against social ills, no pregnancies (except for *That Girl* in town who could serve as an object lesson for anyone tempted to "do it!"), no drugs, no smoking, no drinking, no profanity, no obscenity, no school dropouts (except for *Those Kids* who could serve again as object lessons), no divorce, no deaths, and no alienation of the younger from the older generation. The only exceptions to these taboos (and they were not so much codified as known by writers) would be related to establishing the evil or lamentable state of someone used as an object lesson.

That a few groundbreaking (and taboo-breaking) books emerged can only be something of a surprise. Some writers, notably John Tunis and James Summers and Mary Stolz, managed to write at least respectable and often excellent books even given the taboos which obviously hedged in any attempts at touching on reality; but three books, all published in the early 1940's, introduced notes of reality to adolescent literature. Maureen Daly's *Seventeenth Summer* (1942) may have been about a naive, innocent, and impressionable young girl, but it did not offer any kind of retreat from reality. Jack Duluth, the boy Angie loves, drinks beer, and no moral issue is made of alcohol, uncommon (or impossible) for its time, and one time Jack and Angie visit a nightclub where the black pianist is visibly homosexual. That people have missed these two points in rereading *Seventeenth Summer* suggests only that books are realistic today, not that Daly's book did not break rules then. John Tunis' *All American* (also 1942) is the first book to take a serious look at the overemphasis too often given to sports in high schools and the first book, as far as I know, to take up the problem of interracial black/white conflicts in sports. The book does seem dated today, but in its time it was much admired, and even a casual reading today suggests something of its fearlessness in facing a major moral issue. Finally, Esther Forbes' *Johnny Tremain* (1943) is the first of many books to follow about an unsympathetic, almost anti-heroic young protagonist—a young boy who deserves and finally gets his comeuppance in life.

But with those three exceptions, plus perhaps a few more, most of the books of the forties and fifties and even sixties remain simplistic, unrealistic, sticky, even saccharine exercises in devising puerile plots with stick figures marching inevitably and dully through them. Whatever else could be objected to such literature, they but rarely suffered any kind of criticism or attacks, even less often anything bordering on censorship.

The adolescent novel prior to 1965 would have prepared almost no one for the books that would follow that date. True, innocuous adolescent literature (and innocuous adult literature) still came off the presses, but adolescent literature paralleled much of adult literature becoming more controversial, more dangerous, more honest, more real.

Some adolescent novels came under attack because a word or two of something someone might label profane or obscene crept into the books. More often, adolescent novels came under attack because some writers increasingly worried about, reflected on, and wrote about more realistic themes. For example, Sherburne's *Too Bad About the Haines Girl* was concerned with pregnancy, Summers' *The Limit of Love* worried about sensuality of young people, Hinton's *The Outsiders* worried about the increasing alienation of two generations, Armstrong's *Sounder* worried about social ills, Eyerly's *The Girl Inside* worried about suicide, Eyerly's *Escape from Nowhere* worried about drugs, Johnson's *Count Me Gone* worried about school dropouts, and Donovan's *Wild in the World* worried about death and its effect on the young. In effect, writers for young people became concerned about bringing reality and honesty to their work, not hiding reality and honesty from kids. Susan Hinton said it forcefully when she wrote in "Teen-Agers Are For Real," *New York Times Book Review*, August 27, 1967, p. 29:

Teen-agers know a lot today. Not just things out of a textbook, but about living. They know their parents aren't superhuman, they know that justice doesn't always win out, and that sometimes the bad guys win. They know that persons in high places aren't safe from corruption, that some men have their price, and that some people sell out. Writers needn't be afraid that they will shock their teen-age audience. But give them something to hang onto. Show that people don't sell out, and that everyone can't be bought.

Since the 1960's when we noticed a trickle of censorship concerning adolescent literature, the trickle has turned into something of a steady stream. Adult books like *Catch-22*, *The Catcher in the Rye*, *Manchild in the Promised Land*, *Soul on Ice*, *The Fixer*, *Flowers for Algernon*, *One Flew over the Cuckoo's Nest*, *Invisible Man*, *The Last Detail*, *The Learning Tree*, *Johnny Got His Gun*, and *A Clockwork Orange* may attract bigger headlines in newspapers, but adolescent books have come under attack in states as different as New York, Tennessee, Washington, Colorado, Florida, Illinois, Arkansas, California, Kentucky, and Texas—to name only a few. Let me list just a few titles taken from a few surveys plus those mentioned in the list of "Titles Now Troublesome" appearing in issues of the *Newsletter on Intellectual Freedom* in the last couple of years.

Blume, *Are You There, God? It's Me, Margaret*
 Blume, *Forever*
 Blume, *Then Again Maybe I Won't*
 Bonham, *Durango Street*
 Bonham, *Viva Chicano*
 Carson, *The 23rd Street Crusaders*
 Childress, *A Hero Ain't Nothin' But A Sandwich*
 Cormier, *The Chocolate War*

Craig, *It Could Happen to Anyone*
 Davis, *Anything for a Friend*
 Donovan, *I'll Get There. It Better Be Worth the Trip*
 Donovan, *Wild in the World*
 Eyerly, *Bonnie Jo, Go Home*
 Hall, *Sticks and Stones*
 Hamilton, *The Planet of Junior Brown*
 Head, *Mr. and Mrs. Bo Jo Jones*
 Hentoff, *I'm Really Dragged But Nothing Gets Me Down*
 Hentoff, *Jazz Country*
 Hinton, *The Outsiders*
 Hinton, *That Was Then, This Is Now*
 Holland, *The Man Without a Face*
 Johnson, *Count Me Gone*
 Kerr, *Dinky Hocker Shoots Smack*
 Kerr, *If I Love You, Am I Trapped Forever?*
 Kingman, *The Peter Pan Bag*
 Klein, *Mom, The Wolf Man and Me*
 Lipsyte, *The Contender*
 McKay, *Dave's Song*
 Neufeld, *Edgar Allen*
 Neufeld, *For All the Wrong Reasons*
 Neufeld, *Lisa, Bright and Dark*
 Neufeld, *Twink* (also published as *Touching*)
 Platt, *Headman*
 Renvoize, *A Wild Thing*
 Samuels, *Run, Shelley, Run*
 Scoppettone, *Trying Hard To Hear You*
 Sterling, *Mary Jane*
 Taylor, *The Cay*
 Townsend, *Good Night, Prof. Dear*
 Wersba, *Run Softly, Go Fast*
 Wojciechowska, *Tuned Out*
 Zindel, *I Never Loved Your Mind*
 Zindel, *My Darling, My Hamburger*
 Zindel, *The Pigman*

Why the rise of censorship for adolescent literature? One explanation is that the right-wing, conservative attack on iconoclastic or liberal adult books manifests itself in attacks on any literature which does not always pay lip service or homage to its beliefs. Adolescent literature today tries to tell of humanity's cupidities and nobilities, neither one nor the other, but both. That conservative values might be bothered by questioning of traditions hardly surprises, and certainly adolescent books like *The Chocolate War* and *Dinky Hocker Shoots Smack* and *The Pigman*, good as they are, could be construed as attacks on tradition. Those books, among many more, do not attack tradition, but they do question it; and for all too many people, questioning traditions easily becomes equated with attacking traditions. That may explain the Ohio County Prosecutor quoted in the March 1977 *Phi Delta Kappan* who called certain books, among them Kerr's *If I Love You, Am I Trapped Forever?*, "ultimate trash." It may explain the editorial in the October 23 *Manchester (New Hampshire) Union Leader* which castigated Zindel's *The Pigman* as "sick!" It may explain an attack in a radio editorial by a former Arizona Governor who lamented the current state and themes of adolescent literature by saying, "In the formative years, how

frightening to think that our teenagers are reading about the mental breakdown of a girl, the pregnancy of a teen-age girl, the horrors of a girl who discovered she is going insane, the alienation of father and son, the problems of a sensitive boy who is thought to be a homosexual. Surely, that can come later, can't it?" It may explain a mother objecting to such books in the library by calling them "trashy . . . rubbish . . . pollution . . . obscene . . . vulgar . . . language of the gutter."

Another explanation is that a new kind of censorship is becoming common, this time for liberals. As librarians, we can call it re-evaluation (weeding out) of library materials to get rid of material someone, someplace, for some reason might label racist or sexist. As such, attacks on old books like *Little Black Sambo* or *Dr. Doolittle* are common enough, but they are also now leveled at books like Taylor's *The Cay*, Fox's *The Slave Dancer*, and even Alcott's *Little Women*. It's a different and more subtle kind of censorship—a censorship in reverse, from people we once thought our allies, a censorship that removes any work that might somehow be construed as being offensive to someone, a censorship that taken to its extreme would mean the elimination of virtually all books that offend liberals. The most obvious example of a militant group favoring this approach is the Council on Interracial Books for Children. Their *Bulletin* is worth reading for many reasons, one of them being to figure out what books they've deigned worthy of censorship for the month. Given the liberals censoring from one angle and the conservatives from another, the resultant library or classroom would be a barren wasteland of materials which could offend no one and which no one would want to read.

Finally, another explanation is the increasing number of adolescent books available in paperback. As long as this literature was available only in hardback (and therefore selected by librarians and rarely purchased by kids or parents), censorship was relatively uncommon. With the emergence of many titles in paperback, from Dell or Bantam or Avon and others, and especially the rapid printing of paperbacks soon after earlier publication in hardback, adolescent literature has joined the marketplace and is more likely to be available, therefore censored.

In a novel I've always admired, A.E. Johnson's *A Blues I Can Whistle* (1969), a young, quite intelligent boy is in an institution being pestered by various psychiatrists and psychologists all puzzling through his attempted suicide. They urge Cody to tell them all and he resists, at least at first because he knows that his decision to end his life was a purely personal decision and none of their business. But he also knows that if he won't spill anything for them, there are other people out there and they do matter. As a friend, Barney, once told him, "there are other sakes."

Maybe Cody won't spill the whole thing or any part to please himself or the doctors, but "there are other sakes," and the joy of adolescent literature today is that so many writers take seriously their responsibility to seek the truth and to spill it out for "other sakes." That responsibility has led to the growth in adolescent appeal, psychological validity, and literary merit for adolescent literature. It has also led to censorship.

Censorship and Cultural Conflict

As censorship problems have increased across the last twenty-five years in the nation's schools, teachers and librarians have responded basically in terms of civil liberties. First amendment rights, the writings of Morris Ernst, the traditions of great court decisions by Judge Learned Hand and others, and reliance on court battles to set precedents—these ideas and activities dominated the thinking and planning of the persons who resisted the censorship pressures of these last two decades.

There is a certain irony in the situation. By and large, the courts have greatly broadened the areas of free speech and free press. A world in which *Lady Chatterley's Lover*, or *Fanny Hill*, or Henry Miller's books can freely circulate is a much freer world than the one in which H. L. Mencken bitterly attacked the "booboisie" for their narrow mindedness in rejecting *Ulysses* and other great works of the 1920's. Yet teachers and school librarians find themselves increasingly under greater pressure as the public libraries and booksellers find greater freedom.

It is likely that these two facts are not unrelated. But the somewhat legalistic, civil liberties approach of teachers and school librarians has perhaps prevented an awareness of other aspects of this problem. Mencken's notion that the "booboisie's" ignorance and provincialism were responsible for censorship has been implied more or less subtly by many others since his time. One writer spoke of the "half-educated attempting to control the education of the quarter-educated." That the would-be censors must be among the ignorant and uneducated is certainly a fairly familiar view of civil libertarians.

Yet these ad hominem and even cruel comments distort and obscure the realities of a very complex situation. In studies of censorship done in 1965 and 1973, I found strong indications that the highest incidence of censorship was in the northeastern part of the United States; there was a strong suggestion that the schools with the best libraries had the most censorship pressure. The old South reported both fewer books in the school libraries and fewer attempted or completed censorship acts. Thus, the supposedly

*An earlier form of this paper was presented at a meeting of the Popular Culture Association, Baltimore, Maryland, April 28, 1977.

best educated and socio-economically highest status communities seem to report the most censorship pressure on the schools.

It is hard to get the kind of information outlined above, and I offer these comments as suggestions or probabilities; hopefully, other persons will look into this situation in further efforts to discover the realities in this complex situation.

As an explanation of the possibility suggested above, the best educated and socio-economically highest communities may generate the most censorship, it should be noted that there is a strong tradition in the country supporting the right of parents to control their children's lives. Note how reluctant the courts are to take a child from a not very good home. Every effort is made, generally, to retain the rights of parents to raise their own children.

This tradition seems at work in the Supreme Court's decisions concerning the rights of states to control obscenity with regard to minors. Both the liberal Warren Court and the (in my judgement pseudo-) conservative Berger Court have insisted that the states have the right to police quite rigorously the contact of minors with obscenity. The censorship of obscenity for minors is quite legal. While very little or no material that is used in the schools is likely to be found legally obscene in the courts, the tradition of parental control and of state's rights to protect minors from obscenity operates strongly to give school teachers and school librarians a different situation indeed than public librarians or public booksellers.

Since middle class and upper middle class people expect to control the institutions in their communities that affect their lives, it is in retrospect not surprising that they are frequently active in paying attention to the books and films and other learning resource materials their children use in the schools.

One of the motives that increasingly has come to my attention on the part of complaining parents is the desire to protect their children from the knowledge of the terrible things in the world, essentially the desire to protect their children from the knowledge of evil. This theme seems to lie in the background of complainants of all social classes; it seems to me to be nearly universal. As Milton pointed out in the *Areopagitica*, it is however safer to "scout out the regions of sin and evil in books" than anywhere else. But let us be sympathetic to those parents who wish to delay their children's knowledge of evil, even though we may (I at least strongly) believe that to learn about evil in books is a good way to learn to protect oneself from it in the real world outside books.

If to some degree we have been experiencing in the last two decades some expansion of democratic rights, that impulse is likely to express itself in school matters as elsewhere.

There is, however, an interesting development in the probability that the desire of middle class persons to control their children's education may have begun to spread more widely into other socio-economic groups. Saul Alinsky's "back of the yards" movement in Chicago, which taught a lower class neighborhood how to get better city services, resulted in schools showing community leaders from across the country how to organize their own

communities for similar results. There must be many kinds of spinoffs from an awakening realization that to some degree people can fight city hall and win.

An Alinsky-inspired movement is currently winning considerable success in San Antonio, Texas, in getting better civic services for run-down parts of that city. As members of lower middle class neighborhoods, of minority groups, of the so-called ethnic minorities, see the opportunities that do exist in this country for having one's voice heard and one's problems paid attention to, we may expect continued or even greater censorship pressures on the schools.

The recent complaint from a black middle-class parent in Oakland, California, about the book *Daddy Was a Numbers Runner* is typical of what may increasingly be expected. In the past, few black parents would be given any attention. Now they begin to see some response to their complaints, and so their complaints may increase.

Teachers do not regard themselves as bureaucrats who are either indifferent or even contemptuous of the persons they deal with. To lower-class parents, however, whose English may not be correctly middle class, the teacher may be an awe-inspiring and even frightening authority, whose impact on the life of children is very great.

We have not yet faced up to the problem of a school system still basically white, still basically dominated by an English speaking traditional background (though less than fifty percent of our citizens are derived from an English speaking background), and still basically middle class (though fifty to seventy percent of the students in the public schools are lower class).

In preparation of teachers we have paid little attention to such books as Hollingshead's *Elmtown's Youth: The Impact of Social Classes on Adolescents*, which documents in detail how the class structure of our society is faithfully reflected in our schools. Hollingshead showed in detail how in a prosperous middle class county seat town of Illinois, the grades, the college scholarships and other awards were given on a socio-economic basis. The study showed that students of the highest social class received the highest proportion of awards and the most lenient discipline. While the study was published in 1949, there is little reason to think there has been significant change in the last two decades. It may be, however, that an increasing number of censorship problems such as the one in Kanawha County, West Virginia, may reflect the desire of lower middle class people to achieve the same degree of control of the schools that has characteristically been true of the middle class.

A case in point is that of a small town in Wisconsin in which the minister of a sect type church appeared with some thirty parishioners to object to a number of books used in the schools of that pleasant small town. I use the term sect as described by Ernest Troeltsch, who regarded the sect as a sociologically distinct group that developed in opposition to an organized church. The sect finds its authority in primitive Christianity and is very critical of contemporary culture from which it may seek detachment. Troeltsch

pointed out that sects find fertile soil for development among the socially and economically insecure, and tend to lose their sectarian features as the social and economic status of their membership improves.

In the Wisconsin case, the group objected to a large number of books. No action was taken by the school board and the controversy ended.

It does seem that a number of such episodes may reflect the effort of segments of our society that in the past have not been heard from, but that do now intend to be heard.

What response shall teachers and school librarians make to these complaints?

I do not think we should cease our efforts to use legal means of defending free speech, free press, and the students' right to learn. But let us use the tactics of making clear that a parent may control his own child's reading, but he may not control the reading of all the other children in the class. We should also make every effort to be sympathetic to the complainants, to see the matter, if at all possible, from their point of view, and to attempt to construct a curriculum that does in fact meet the needs of the communities in which we teach.

An important feature of a well-planned curriculum and one that is needed to fulfill the characteristics of a discipline is that the curricular planning be done on a group basis. While the individuality of the teacher is of the highest importance in relationships with the class and community, if English is to be a discipline, we must plan on curricular units as a group effort. Curricular planning by a group will tend to offer protection against ill-advised and impulsive book choices and give evidence to the administration and to the community of thoughtfulness and professional standards.

If units are carefully planned, if community tastes are regarded, and if careful explanations are made, it seems likely that freedom to use professional skills may be maintained, even in the face of the new aggressiveness by segments of the community whose voices in the past have not been heard.

To summarize what I have attempted to say, perhaps we ought not to regard all censorship pressure as an unmitigated evil, but rather see it as one of the characteristics of a democratic society, misapplied to be sure, but still an evidence of the belief of an increasing number of Americans that they can have a voice in the affairs of their own society.

Let us respond to these pressures with professionally high level efforts in building a curriculum, efforts that are genuinely disciplinary, in the sense that they reflect careful planning, the use of mutually worked out procedures, and thoughtful attention to the needs and characteristics of our various constituencies.

If we do these things well, it seems likely to me that we can continue to be supported in using the best materials and developing the kind of curriculum that will in the long run be in the best interest of the students and society that we are attempting to serve.

Island Trees, New York: Community in Conflict

Kanawha County, West Virginia was a geographical locality unknown to outsiders until 1974. Within six months, Kanawha County became known to millions because of the violence and bloodshed precipitated by a conflict over textbooks in the schools. The controversy about classroom materials reached a peak when schools were boycotted and picketed. Picket lines were set up around coal mines and factories and 3,500 miners started a wildcat strike in sympathy with the textbook censors. In weeks to follow, firebombs were thrown at cars and homes and guns and dynamite were heard in this once peaceful community. What started as a protest over words and ideas in books flared into a major conflagration that sowed seeds of deep dissension.

That was 1974. In 1976, another community bursts from anonymity into the public conscience. Island Trees is the town and it is located on the eastern portion of Long Island. The controversy in Island Trees began on a still cold evening in February of 1976 when school board members, at a closed meeting, compiled a list of 11 books which they ordered removed from the public schools. The list that was given to the principals of the secondary schools because the board claimed the books contained material that was anti-American, anti-Christian, and obscene included the following: Bernard Malamud's *The Fixer*; Kurt Vonnegut's *Slaughterhouse Five*; Desmond Morris' *The Naked Ape*; Piri Thomas' *Down These Mean Streets*; *Best Short Stories by Negro Writers*, edited by Langston Hughes; *Go Ask Alice* (Anonymous); Alice Childress' *A Hero Ain't Nothing But a Sandwich*; *A Reader for Writers*, edited by Jerome Archer; Richard Wright's *Black Boy*; Oliver LaFarge's *Laughing Boy*, and Eldridge Cleaver's *Soul on Ice*.

The seven members of the school board were alerted to the materials when three of their number attended a conference in 1975 where a group called Parents of New York United circulated excerpts from books they wanted removed from the schools. For example, the following excerpt was listed for pages 75-76 of *Black Boy*:

We black children used to run to the Jew's store and shout: Bloody Christ killers. Never trust a Jew. Bloody Christ killers. What don't a Jew do? or Red, white and blue-your pa was a Jew-your ma a dirty Dago-What the hell is you?

Quoting excerpts out of context was a technique used by a Kanawha County school board member to foster the conviction that the textbooks

contained offensive material. In both Kanawha County and Island Trees, the excerpts contained allegedly offensive four-, ten-, or 12-letter words, racial or religious epithets, and sentences describing homosexual or heterosexual encounters. In most instances, the quotations were parts of dialogues the authors used to convey characterization.

The United States Supreme Court has consistently upheld the practice that a book is not to be judged by isolated passages but must be considered as a whole. Removing passages out of context distorts the meaning of the entire work. The excerpt from *Black Boy* is an accurate rendering of the way that young children taunt others. While the words themselves express the witless bigotry of children, the book taken as a whole is a passionate indictment of prejudice. The important question is whether the book read completely is obscene and harmful to minors. All of the books on the Island Trees list have been judged to have themes which are important for young persons. While the Island Trees school board members contend that strong passages will have a deleterious influence upon the young reader, they readily admitted when questioned that their judgment was formed without having read the books in their entirety.

In Island Trees, the school librarian, Irene Turin, was the first person to organize opposition to the removal of books which had been approved through formal selection procedures. Her action was particularly courageous in light of the vindictive threats made by school board members who controlled the contracts of the teachers. The school library association issued a resolution on June 2, 1976 which reminded the school board members that they had bypassed the professional staff with whom the school board has a contract to consult on matters of curriculum and instruction. The association viewed the removal of the books as a violation of academic freedom. The United Teachers of Island Trees charged that teachers were deprived of classroom materials that they required for effective teaching.

Meanwhile the librarians were ordered to remove the books from circulation within the school. When *The Fixer* by Bernard Malamud was found to be in use in an English literature course, the high school principal entered the storage closet and removed more than 50 copies of the book. The catalogue cards for all the books were eliminated from the card catalogue. The school board responded to the grievance presented by the teachers' organization by accusing it of using the incident as a ploy to work for the election of pro-union members for the school board. Dr. Robert Morrow, the Superintendent, denounced the school board's actions and cited the neglect of proper procedures and established policy. The school board had bypassed the orderly complaint procedure, and Dr. Morrow resigned his position in Island Trees.

Responding to stories disseminated by newspapers, radio, and television, the school board established a review committee consisting of four district residents, the high school principal, an elementary school principal, and two teachers from the secondary division English and social studies departments. When the committee made its final determination in July of 1976, the two teacher members were denounced for voicing their intention

to approve all the books and acting on that intention. Committee voting was by secret ballot, and it is not revealed how such information was made available.

Following the recommendation of the review committee, the school board voted to return *Laughing Boy* to the high school and junior high school libraries. *Black Boy* could be borrowed from the high school library only if the student presented a note from a parent. The parental consent or request form had previously been employed in District 25 Queens when the school board removed Piri Thomas' *Down These Mean Streets* from the shelves of the junior high school library. When this case went to the U.S. Supreme Court, the Court permitted the lower court ruling in favor of the school board to stand when it denied the case in hearing. Subsequently, a newly elected school board was installed, and it removed all restrictions on the book which is now circulated freely to all readers.

As for the remaining books, the Island Trees school board stated that they were to be removed from the elementary and secondary school libraries and from the curriculum. At this point, three students—Russell Reiger, Steve Pico, and Jacqueline Gold—brought suit against the school board. The New York Civil Liberties Union is preparing the legal brief and various organizations are planning to file friend-of-the-court briefs. Within the community, an organization called the Right to Read Association of Island Trees is organizing support for the students.

A pattern appears which has been observed and documented in Kanawha County and is being replicated in Island Trees and other parts of the United States. Well-organized groups such as the John Birch Society, Citizens for Decency Through Law, the Heritage Foundation, Educational Research Analysts of Longview, Texas, the National Parents League, Parents of New York United, Save Our Children, and the Ku Klux Klan have all demonstrated a sudden and intense interest in the books read by children in the public schools. They have concentrated their attacks on schools rather than on public libraries. Even though the Island Trees Public Library arranged a special display of the controversial books, the libraries were not singled out in the same way as were the schools.

Having selected the schools as their target, the censors distort excerpts from books and classroom practices in order to demonstrate that objectionable, blasphemous, and profane ideas are being promulgated in the schools. In the 1960's, a similar campaign was organized by some of the same groups under the guise of cleansing the schools of Communists. Attacks are now directed to alarming parents that their children are being subjected to anti-religious propaganda. The strategy is always the same. Excerpts are taken out of context which are shocking in their presentation and content. The content that is found blasphemous is any reference to religion that is disparaging. The content that is offensive contains racial and sexual epithets. The excerpts always contain words that are considered obscene because they refer to sexual acts, genital organs, or to nudity *per se*. Excerpts that stir the greatest alarm and indignation combine race and sex. One of America's noted writers, William Faulkner, explored the strange

preoccupation that Americans have with sexual conduct with members of other races or religions. The censors capitalize on this taboo.

A tug of war is raging with the schools as the battleground. On one hand there is the dream of friendship among all races and religions which our classroom materials promote largely through the recognition of the cultural contributions of writers and artists. Schools utilize textbooks and curriculum materials to demonstrate the dignity of persons living in a multi-cultural society. On the other hand, opposition to such practices arises from organized groups that view the multi-ethnic world as one in which God is absent or disparaged and one in which children are led to question their parents' values. There is absent in this conflict the belief that young people need to explore many different sides of controversial questions and that the schools should promote intelligent and wide inquiry.

When the events in Kanawha County burst into the headlines, readers shook their heads and spoke patronizingly about poverty, fundamentalism, and the Bible Belt. But here is Island Trees, a community of middle income homeowners within a state long recognized for enlightened practices, equally aroused over the menacing shadow cast by controversial books. In both cases, parents are urged to protect their children from the harm that will befall them should they be exposed to these books. In both cases, those who would remove books because of language or ideas that are objectionable distort the true meaning of the books by using excerpts. Such a propaganda technique can frighten and mobilize a community whether the locale is West Virginia or New York.

The New Censorship—Social Responsibility and Moral Righteousness

Censorship takes many forms, but the most popular involvement in the activity is inevitably related to sex. Nothing will stir local indignation faster than transgression of the perceived sexual mores. Hence sexual censorship appears to be most acute because the most popular turbulence is felt when conflict arises. However, I have been something of a hobbyist about censorship and I have followed the rising and falling fortunes of the effort to free literature from sexual taboos. I have come to the conclusion that the long war to establish freedom of expression about sex was essentially won in the 1960's, following the Roth decision in 1957. What has happened more recently is the gradual social adjustment to the new freedom, with many local setbacks overridden by the larger social drift toward freedom.

The crucial books that were brought into question as society attempted to make operative the Supreme Court decision were D. H. Lawrence's *Lady Chatterley's Lover* and Henry Miller's *Tropic of Cancer*. There was a flurry of court cases across the country about 1960, and the final result was that opposition to the two books dissolved. What has been published since then makes these volumes seem pale by comparison.

Therefore, I conclude that we should direct our attention to other matters even as we continue to strengthen the freedom already won by forestalling attempts to revert to older patterns. Local epidemics will continue to occur, but the disease is under control.

Political censorship is a much more serious question. It is perennial, and I doubt that it will ever totally disappear. Professor McCoy of Southern Illinois University published *The Freedom of the Press*, a bibliography of books on censorship, in 1968. What I observed in trying to assess his volume was that censorship intensity is directly related to revolutionary activity and threats to national security. Two or three examples will suffice: the first great outburst of censorship in the English speaking world occurred during and after the Puritan revolt in England—and one of the great fallouts of that conflict was Milton's *Areopagitica* which still stands as the most eloquent and complete argument in favor of a free press. For about a hundred years—say from 1688 to the onset of the French Revolution, political censorship in Great Britain was a relatively insignificant question, but it rose

rapidly to prominence during the Napoleonic wars and continued with great intensity to about 1830, when it again subsided. Similar patterns have been observed in the United States, clustering around the American Revolution, the Civil War and World War I.

Since World War II, censorship in the United States has taken more subtle forms, reflecting the inordinate complexity of modern society both technologically and politically. Censorship has been particularly complicated by the motion picture, the electronic media and high speed communications, phenomena which were previously unknown to society. To deal with these tools society had no experience and no body of law to govern them. In our time governmental censorship has taken on odd and elusive shapes characterized by manipulation, propaganda, suppression of information, deliberately inaccurate reporting, subsidized publishing, and a host of related behavior patterns that are, historically speaking, quite new. As communications speeded up, so did the means to frustrate them. The censorious mind is inventive and is as resourceful as its opponents.

If we define censorship in its broadest terms, it is the attempt to prevent the movement and the sharing of information. Viewed in that context then the techniques of wire-tapping, spying, surveillance, secret files and documents are devices not only for gathering information for governmental purposes but inhibitive upon society at large because of the exercise of fear and anxiety among people everywhere.

Many Americans have had the experience—and a chilling one it is—of being advised not to say certain things or act in certain ways not because they are illegal, but because it is not wise, or safe that somehow, somewhere, punishment will befall the offender.

Intimidation replaces discourse in such an environment, but it is the environment in which we live and we must find a way to get a firmer grasp upon it, to slow down and curb this insidious development within our society. It not only infects government, which, whether we like it or not, is a projection of ourselves, but it is corrupting all our traditions of candor and freedom of discussion on social issues.

When William Lloyd Garrison was dragged through the streets of Boston for his incessant fiery attacks on slavery, he at least faced the honest indignation of men who felt threatened—probably in their property—by what he was advocating. But even so, there was a bluff openness about the attempts to quell him. Garrison knew the risks and he was willing to face them.

I think now it is harder to assess the risks. The issues are not so clearly defined, and we have come only slowly to an awareness of the power of communication in shaping our social structure.

Perhaps the Women's Lib Movement will provide some examples of what I mean. The movement has spread far beyond the sphere of political action. The question that bothers the leaders of the movement is much less the assertion of legal rights as it once was. The right to vote was a good solid unequivocal thing to define. You either could or could not vote, and the "right" was settled by simple legislation.

But now much hinges on the insinuating meanings of words so that we stumble and hesitate over whether we give offense when we use a masculine pronoun or a traditional masculine noun intended to be used to cover both sexes as in that poor belabored target of committees—"chairmen."

Under the banner of freedom we endanger communication whenever we seek to alter language patterns that have their origins in the deep recesses of history and of the human psyche (a feminine word, by the way, which men should protest). In its more extreme manifestations the Women's Lib Movement finds dark meanings in words and gestures, habits of speech and conduct. These are the guilty things and if we change them or obliterate them we supposedly will create a new way of looking at the world and hence we will free women from their bondage.

I suggest that there are dangers in this philosophy, and we may not see the outcome with sufficient clarity. We really do not know what will happen if we root around trying consciously to alter our language. It is rather like the work of graphologists who pretend to read character in handwriting. If handwriting reveals character, then by practicing handwriting we can simulate the character we would like to possess. It is a dubious proposition. If we change our vocabulary will we in fact liberate women from the bondage of the male—assuming such bondage really exists. I have serious doubts. Changes in vocabulary and the meanings of words have the effect of making the past unavailable to us. If current usages and meanings become obsolete, then our past language has to be translated if it is to remain accessible. Only scholars can read Chaucer, so we make Chaucer available by translating him—or we teach people Chaucer's vocabulary and grammar. Either way we acknowledge a loss and we seek to compensate for it. I am not arguing that we should not listen to the women who advocate vocabulary changes—I merely insist that the changes will not come without cost. I leave it to others to decide whether the price is worth the attempt.

What I am leading to is this—that one form of censorship is the rewriting of history to conform to present perceptions of social justice. Restructuring the language is one way of rewriting history. When blacks decided that Negro was a pejorative word and they succeeded in persuading society to drop it, they only made a substitution of vocabulary without altering prejudice. However unhappy the social habit of identifying people by skin color, race or nationality because of the prejudicial implications, we still strive to find expression for perceived differences by inventing substitutes to describe those differences. The prejudice lies not in the vocabulary but in our assessment of the meaning of perceived differences between phenomena. The substitution of black for Negro is especially ironic since both words have the same meanings with different etymologies. Connotations are more important than denotations in determining how people think.

To return to censorship of sexual literature, the evidence is very great that behavior was little, or not at all, affected by the vast conspiracy of silence. No matter how we juggled the vocabulary or intimidated open speech or writing, we cannot now discover significant differences in social behavior. When Alfred Kinsey broke the social taboos by printing his re-

ports on sexual behavior, the world was astonished at the discrepancy between professed mores and actual behavior, in spite of the long suppression of printed information on sex.

Social control exercised through the manipulation of information either through distortion or suppression is in my opinion disastrously immoral. But there is a more practical objection. It doesn't work very well, and sometimes it doesn't work at all. Even when it works, about the best that it achieves is a kind of distortion of the true state of affairs and may lead to bad social decisions either because of inaccurate or contaminated information sources. The very nature of censorship is so fallaciously conceived that it eventually it fails, but it may wreak a great deal of damage during the time it diminishes the flow of information. It is logically impossible to involve people in events and then blot out all information about those events. The Soviet Union is making that discovery, and Solzhenitsyn has dramatized the folly of Soviet censorship as never before.

I come now to my last concern, one that directly bears upon your daily work and mine. There is at the present time in the United States a powerful move to imbue libraries and schools with a sense of mission to uproot social injustice. The duty is pressed upon us to modify behavior by manipulation—by what you teach in the classroom and what we have available for reading in the library. In the teaching profession and in the profession of librarianship there are eloquent spokesmen who are passionate advocates of social control through manipulation and censorship.

They would have us suppress evil books, and would also have us rewrite our history to conform to the current scale of values. The women libbers demand a whole range of literature about boys and girls that simply doesn't exist. There are blacks who don't want to see in print the stereotypical black the white society perceived in the past—the mammy, the minstrel, the servile comic. There are socially involved librarians who want libraries to advocate social causes by promoting certain kinds of literature and by downgrading others.

The fallacy of this attempt at advocacy should be apparent to intelligent and thoughtful people—but I am somewhat saddened that my expectations about the free mind are not realized. Free thought and full information are seen by many as expendable if they do not immediately and directly lead to increased social justice. *Little Black Sambo* demeans the Negro, it must go, even though it accurately focuses upon the state of mind of white society 50 years ago. If juvenile literature encourages boys to achieve, but not girls, it must go because it undermines girls' self perception. But if that were so, how did the women's lib movement get started? Something other than the literature to which they were exposed as children must have triggered them. Why then do they lack confidence that others cannot draw their own conclusions?

Juvenile literature does not create society—it is a reflection of it as Professor McClelland of Harvard University made evident years ago. If extant children's literature does not reflect reality, it will die by itself. And if it does not grow obsolete, then society is not undergoing the alteration some

people think is desirable. The issue cannot be forced, and those who would force it through censorship are no friends of democracy and freedom.

It cannot be said often enough that the true test of a free man or woman is the tolerance of opinion and thought however distasteful it may be. If we, collectively, are to expand the minds of young people, and strengthen the fabric of a true democratic society, we must at all times be prepared to entertain and give free currency to all ideas, all social perceptions, all information—at every level of our political and social hierarchy—and that may even include the White House.

Any suppression of ideas, however unselfish and nobly motivated the censorship may be, and however obnoxious the opinion for which suppression is sought, ultimately diminishes us all.

I never really thought that I would live to see the day when liberal intellectuals would dare to advocate the techniques that have always been the chief stock in trade of the repressive right wing. But that time is here, and we must repair to the middle ground and oppose both wings until sanity returns to an overheated society that seems somehow bent on damaging the very premise on which it is built—freedom—freedom to be wrong as well as right.

A Case for Censorship

At the very outset, let us not shrink from a forthright admission as to what is being propounded—and opposed—in this series of articles. The issue is censorship, and nothing is to be gained by pretending that we are discussing something else. It is virtually *de rigueur* for those who favor censorship of obscenity to draw back from the label, just as it is necessary for those who oppose censorship to admonish that they do not thereby espouse obscenity.

It is possible to grant both parties their pretensions without affecting the discussion, so long as we agree on the battleground.

And we are met on the battleground of obscenity.

The position of Citizens for Decency through Law is a simple one, and from a legal standpoint, an impregnable one. Since its founding some seventeen years ago, CDL has espoused the enforcement of existing laws against obscenity.

Nothing less, nothing more.

To appreciate that position requires a brief summary of the legal history of obscenity legislation. To begin, it is a fact that the distribution and sale of obscene materials have never been legal in this country. Add to that the fact that there are no laws, nor have there ever been any laws, which proscribe an individual's right to read. The net result of these two legal facts is that there is no censorship of one's right to read anything which he may be able to procure. There are, on the other hand, penalties for those who produce and distribute obscenity for profit. While one may argue that the end result is the same (and it is not), there is nevertheless a vast difference in both the intent of the law and the effect of the law. The obscenity laws are concerned with **conduct**, not with free speech. And the focus is not upon the reader, but upon the panderer.

This distinction between "conduct" on the one hand and "speech" on the other is, of course, a nice one. The courts have had many occasions to grapple with the two concepts, both inside and outside of the area of obscenity. For example, the Supreme Court has ruled that a man who wore a jacket emblazoned with a patch which read "F--- the draft" was engaging in a protected form of communication, i.e., speech. Therefore, even though the jacket was worn in a public place and was plainly offensive to members

of the general public, his "action" was speech which was protected by the First Amendment. In another context, the same Court found that a broadcast from a loud-speaker at 3:00 A.M. was "conduct" which could be proscribed and penalized by the state without offending the First Amendment. One can harmonize these results by suggesting (as did the Court) that the public could avert its eyes from the offensive jacket, whereas it is difficult to avert one's ears. This does little to differentiate between speech and conduct, however, and that is a key dividing line which arguably separates the protected from the less protected forms of communication.

Even the argument that the public may avert its eyes from obscenity has broken down in the wake of the flood of pornography which has overtaken the country. Charles McCabe, whose San Francisco column, "The Fearless Spectator," has regularly assailed those who advocate control of pornography, has recently complained that, as he walks down Broadway in San Francisco, he is subjected to repeated assaults on his attention by barkers for topless and bottomless joints. McCabe finds this to be "intrusive and offensive." And well he might, since the prevalence of obscenity in all of its attendant forms has made it impossible for the public to "avert its eyes" without closing them altogether.

To many, it will come as a surprise to learn that obscenity as such (that is, obscenity for its own sake, unconnected with legitimate political protest) is not protected by the First Amendment. This is so despite the fact that obscenity nearly always emerges as some form of printed material or filmed material, and that both of these forms of communication arguably fall within the "press" whose freedom is guaranteed by the First Amendment. Those who would take an absolutist view of the First Amendment make this argument with great fervor. The language of the amendment is absolute, they say, and that should be the end of the matter. The same argument could, and no doubt should, be made on behalf of the Ten Commandments. But neither reading accords with reality.

Somewhat in the spirit of the devil quoting Scripture, the words of John Milton are offered in support of the necessity for censorship laws and for a non-absolutist reading of the First Amendment:

License they mean when they cry liberty;
For who loves that, must first be wise and good.
John Milton, Sonnet XII

Milton does no more than recognize that liberty changes to license in the hands of those who use it for selfish purposes. Thomas Mann expressed the same thought only slightly differently when he wrote: "The apostles of liberty seek only license." No one would deny that the highest aspiration of man is to reach that stage of development where he is totally self-controlled and self-governed. The law itself could have no higher purpose than to extinguish the need for law.

This thought was given one of its earliest practical tests by the New England-born leader of the Putney Corporation of Perfectionists, John

Humphrey Noyes. Shortly before his arrest on charges of adultery in 1847, Noyes wrote in the *Perfectionist* paper:

In a holy community, there is no more reason why sexual intercourse should be restrained by law than why eating and drinking should be—and there is as little reason for shame in the one case as in the other. (Stewart H. Holbrook, *Dreamers of the American Dream*, NY: Doubleday, 1957, p. 3)

Of course, he was right. In the perfect community, there is no need for law of any kind, man-made or God-made.

A perfect community is a perfectly appropriate place for an absolutist First Amendment. Absolutely no laws could be made or enforced against freedom of speech or press (or conduct for that matter) simply because there would be no need for such laws. We are, however, a nation of laws because laws permit imperfect people to function in an imperfect world. In the context of obscenity, were it not for the fact that there are people who procure young girls, pay them for permitting themselves to be sodomized, and then sell these photographs and films for profit—were it not for the existence of these people the subject of obscenity and censorship would not arise. The same is true of all laws, whether governing public morality or merely permissible human conduct, insofar as those terms are distinguishable.

An absolutist view of the First Amendment realistically gives free rein to counterfeiters, defamers, slanderers, bribers, perjurers, copyright violators, and people who would yell “fire” in a crowded theater merely to observe the panic. Those who accept these exceptions, or any of them, must necessarily agree that the absolutist argument is inapplicable in the case of obscenity as well, or else be guilty of holding an incongruous view which could only be described as “selective absolutism.”

The reason why obscenity (and other forms of objectionable communications) has unvaryingly been denied the protection of the First Amendment is rooted in the early English common law, and in the perceived intent of the framers of the Constitution in proposing the amendment. The rational purpose of an amendment which guarantees freedom of press and of speech is to permit the free flow of ideas between the people of the nation, thereby guaranteeing that strength which is best forged in the fire of well informed and well argued differences of opinion and philosophy. In placing obscenity beyond and outside of the protection of that amendment, the Supreme Court has consistently held that obscenity is not an idea, and even if it could be so construed, it is not such an idea as deserves the protection of a Constitution dedicated to the dignity of man.

Thus we are full circle. The First Amendment guarantees speech, but that protection does not extend to the point where speech becomes non-permissible conduct, and that determination is made on the basis of whether the harm threatened by that conduct overbalances the ideal of free speech, which in final turn is based on a judgment as to whether the speech/conduct can conceivably contribute anything toward human enlightenment.

Those who are disturbed by the application of so many tests and balances to such a plainly worded statement as “Congress shall make no law . . . abridging the freedom of speech, or of the press” are reminded that the

United States Supreme Court has sat for nearly 200 years to interpret this and other language of the Constitution in the light of a changing society with changing needs, thereby giving a continuing vitality to the principles embodied in that remarkable document.

Perhaps it has been unnecessary to spend the major portion of this article in defense of the mere premise that censorship is permissible in our democratic society, both legally and realistically. However, one can hardly engage in meaningful discourse until prejudice and superstition are laid to rest—and it is regrettably true that the mere charge of "censorship" is akin to shouting fire in a crowded theater (to repeat Justice Marshall's famous analogy). The public reaction is uncritical, and highly satisfactory to the shouter, and it produces the same reaction every time, whether there's a fire in the theater or not.

The real issue, then, is whether censorship is preferable to wide-open obscenity. We are at the front lines now. Those who oppose enforcement of obscenity laws on this level are **for** obscenity. Those who urge enforcement of obscenity laws are **against** obscenity. Citizens for Decency through Law is **for** enforcement of existing obscenity laws.

That being so, it can only be that sincere proponents of unfettered obscenity (that is, those who oppose pornography control and yet have no financial interest in marketing obscenity) have based their case on the premise that the average man is incapable of differentiating between art and obscenity, and so we are far better off with some obscenity than with no art. The argument can be a persuasive one, especially if one is grouped with that strata of persons who are considered sufficiently cultured to appreciate art and who fear any lower-strata meddling in this preserve. This case, however, must necessarily weaken and even disappear when one enters the realm of hard-core pornography. Obscenity is not art by any definition.

Nevertheless, as the two draw closer to the dividing line, it becomes inevitably truer that absolute separation becomes progressively more difficult. But why this difficulty should prove unbearably burdensome in this area of human existence and not in others is a question that must be raised. The legal line between murder and justifiable homicide is simply the intent of the killer. And the discernment of this intent is entrusted to an egalitarian panel of jurors who have not seen the crime, do not know the participants, and have no training in psychology. How is it that we can entrust these twelve people with the task of drawing the line between murder and non-murder, but deny them the capacity to draw the line between art and obscenity when all the elements of the matter are directly before them? In truth, each of us shares the human capacities of Justice Potter Stewart, who admitted that, while he could not define pornography, he knew it when he saw it. While that won't do as a legal test, it aptly describes the test which humanity has always applied to questions of right and wrong, morality versus immorality, normal versus deviant. It is only when we attempt to reduce that knowledge to words that we begin to doubt our abilities (or rather, the abilities of others) to judge that which must necessarily be judged in the light of human experience. Few would have a

problem in identifying a sack of garbage. Yet any definition of garbage would be legally assailable, since one man's lemon rind is another man's "twist." Legal semantics have not eliminated our capacity to separate garbage from edibles on a practical level—no more so should they be used to freeze us into immobility in any other context where judgment must be used in place of mechanistic selection.

The argument for differentiating between art and "trash" is made eloquently by Walter Berns in his article, "Democracy, Censorship and the Arts."

One who undertakes to defend censorship in the name of the arts is obliged to acknowledge that he has not exhausted his subject when he has completed that defense. What is missing is a defense of obscenity. What is missing is a defense of the obscenity employed by the greatest of our poets—Aristophanes and Chaucer, Shakespeare and Swift—because it is impossible to believe, that what they did is indefensible . . .

. . . great poetry, even when it is obscene is of interest only to a few—those who read it primarily for what is beyond its obscenity, that towards which obscenity points. But when obscenity is employed as it is today, merely in an effort to capture an audience or to shock without elevating, or in the effort to set loose idiosyncratic 'selfs' doing their own things, or to bring down the constitutional order, it is not justified, for it lacks the ground on which to claim exemption from the law. The modern advocates of obscenity do not seem to be aware of this consequence of their advocacy. They have obliterated the distinction between art and trash, and in so doing they have deprived themselves of the ground on which they might protest the law. (Walter Berns, "Democracy, Censorship and the Arts," originally published in *Censorship and Freedom of Expression*, Gambier, Ohio: Public Affairs Conference Center, 1971, and reprinted in *Where Do You Draw the Line?*, edited by Victor B. Cline, Provo, Utah: Brigham Young U. Press, 1974, pp. 41-43)

Thus, it is apparent that the distinction not only can be made, but it must be made. For it is as true in art as it is in coinage that Gresham's law will inexorably operate to permit the debased to drive out the valued.

The argument for censorship as the only alternative to the debasing of our art form, and indeed of our entire society, is best presented by Irving Kristol in his essay, "The Case for Liberal Censorship."

If you look at the history of American or English literature, there is precious little damage you can point to as a consequence of the censorship that prevailed throughout most of that history. Very few works of literature—of real literary merit, I mean—ever were suppressed; and those that were were not suppressed for long. Nor have I noticed, now that censorship of the written word has to all intents and purposes ceased in this country, that hitherto suppressed or repressed masterpieces are flooding the market. Yes, we can now read *Fanny Hill* and the *Marquis de Sade*. Or, to be more exact, we can now openly purchase them, since many people were able to read them even though they were publicly banned, which is as it should be under a liberal censorship. So how much have literature and the arts gained from the fact that we can all buy them over the counter, that, indeed we are all now encouraged to buy them over the counter? They have not gained much that I can see. (Irving Kristol, "The Case for Liberal Censorship," originally published in *The New York Times*, March 28, 1971 and reprinted in *Where Do You Draw the Line?*, edited by Victor B. Cline, Provo, Utah: Brigham Young U. Press, 1974, p. 54.)

Kristol then goes on to lay to rest one of the most popular shibboleths raised by the opponents of censorship:

Just one last point which I dare not leave untouched. If we start censoring pornography or obscenity, shall we not inevitably end up censoring political opinion? A lot of people seem to think this would be the case—which only shows the power of doctrinaire thinking over reality. We had censorship of pornography and obscenity for 150 years, until almost yesterday, and I am not aware that freedom of opinion in this country was in any way diminished as a consequence of this fact. Fortunately for those of us who are liberal, freedom is not divisible. If it were, the case for liberalism would be indistinguishable from the case for anarchy; and they are two very different things. (Kristol, p. 55)

They are indeed. As different as liberty and license. As different as obscenity and art.

The reader is invited to make his informed choice.

Legal Decisions and Censorship: A Game of Chance

Today, America may be experiencing one of the worst waves of censorship this country has known. Well-meaning parents often are disturbed by textbooks or by teaching methods that they feel are anti-American or anti-Christian. They ask that objectionable texts be removed from schools, that controversial teaching methods be discontinued, and that offensive books be removed from school library shelves. The courts have logged a confusing record of decisions regarding parental intervention in the operation of the schools. A review of these decisions indicates that a few courts have upheld parental rights to intercede for their children while other courts have supported teachers' claims to have academic freedom—to teach what they decided to teach.

A look at previous court cases, combined with speculation about future court cases, can resemble a game of chance in which a teacher may or may not win. Let us take a few moments to play this risky game.

ROUND ONE

Situation. You are a teacher in a junior or senior high school. One day a parent group complains that the textbook you are using is obscene and does not uphold the virtues of America. What can you do? Choose Card A, Card B, or Card C.

Card A. You tell the parent group that, according to existing law, "Whatever the agency which is given authority in a particular jurisdiction to select textbooks, the action of the agency designated is conclusive, so that the pupil and his parent or guardian have no voice in the matter" ("Schools," *American Jurisprudence 2d* (1973), Vol. 68, 607). You refer them to the 1877 case, *Trustees of Schools v. People*, 87 Ill 303, which set that precedent. Then you argue that the textbook you are using was selected according to the approved method for your state; therefore, the parent group has no legal right to complain.

Card B. You argue that the U.S. Supreme Court has upheld a First and Fourteenth Amendment guarantee for an American's right to know. You explain to the parent group that the students in the school have a constitutional right to hear views to which their parents may be opposed. You cite the U.S. Supreme Court case, *Kleindienst v. Mandel*, 408 U.S. 753, (1972), to back up your point. (In that case, the U.S. Supreme Court said that an

alien without a visa had to be allowed into the country because citizens had a right to hear him.) You conclude that the textbooks cannot be removed because students would be denied their constitutional right to know.

Card C. You contend that you, as the teacher, have academic freedom to decide what you will teach and how you will teach it. You cite two recent federal decisions which have upheld academic freedom. The first case, *Keefe v. Geanakos*, 418 F. 2d 359, (1969), held that "The Young and the Old," an article in *Atlantic Monthly*, was not obscene and that the teacher who had used the article in class did so for educational reasons that could be demonstrated. The second case, *Parducci v. Rutland*, 316 F. Supp. 352, (1970), held that "Welcome to the Monkey House," a short story by Kurt Vonnegut, Jr., was not obscene. The court applied the test formulated in the case, *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503, (1969), that, when no disturbance is caused, teachers and students have First Amendment rights to freedom of speech. Applying the *Tinker* test, the court in *Parducci* decided that, in the absence of a disturbance, the teacher had academic freedom to teach whatever she decided to teach. You conclude that your textbook has not caused any substantial disruption to the normal operation of your school; you explain to the parent group that you have, therefore, an academic right to be free to teach from the textbook.

Results. If you chose **Card A**, you may have chosen a weak argument. Parents have a legally recognized political right to interfere after textbooks have been duly adopted. Parents have the right to bring pressure to bear against curricula, teaching methodology, and other educational systems or policies. Stephen R. Goldstein, in "The Asserted Constitutional Right of Public School Teachers to Determine What They Teach" (U Pa L Rev 124: 1293-357 JE 1976), has said, "Moreover, in a democratic society it would seem desirable that politically responsive groups have the power to effect the public will concerning the structure and content of public education" (p. 1356). There are a number of court decisions (cited in footnote No. 94 in the Goldstein article) to back up this parental political right to complain. Furthermore, in the case, *President's Council, District 25 v. Community School Bd. No. 25*, 457 F. 2d 289 (1972), the U.S. Supreme Court, in denying certiorari in November 1972, held that there was no obvious court precedent for refusing, on constitutional ground, to remove books from a library. In other words, any parental group complaining of library books could have them removed by school authorities (thus exercising their political right to pressure school authorities). Translating that into the classroom, your textbook can be removed by school authorities reacting to parental pressure. Legislatures in some states, including Indiana, have recognized a parental right to affect school policy decisions. These states have statutes permitting parents to serve on local textbook adoption committees. The 1877 Illinois case that you cited, while still on the books, is not a vital precedent anymore; it is being ignored by present-day courts.

If you chose **Card B**, again you may have chosen a weak argument, although no specific court cases have outlined beyond the shadow of a doubt

whether or not teachers have a constitutional right to academic freedom. You may have that freedom. However, Goldstein (above) has said:

The freedom of expression justification for teacher control is premised on an analytical model of education which views school as a market place of ideas. There is no historical or precedential basis, however, for concluding that the market place of ideas model is constitutionally compelled over the traditional value inculcation model. Thus, in the final analysis, teachers' constitutional rights, in and out of the classroom, do not extend beyond the first amendment rights of all citizens (p. 1356).

Case law backs up Goldstein's point. A student's presumed right to know is bound up in freedom of speech doctrine. If the teacher is perceived as teaching values which are objectionable to students or to parents, then that teacher may have no constitutional protection for what he/she is teaching. On the other hand, applying the Tinker test (above), the teacher may be within his/her rights so long as no disturbance results. The area of law surrounding academic freedom is so nebulous that it would be difficult to decide whether you have a viable argument, once you claim a constitutional right to academic freedom.

If you chose Card C, you may have a viable argument for the same reason as in Card B (above)—no court has said you do NOT have academic freedom. However, your argument may be weakened by the decisions you cite. In the Keefe case, the court never explained the "grounds on which a teacher's curricular decisions take precedence over those of the school board or other school authorities superior to the teacher under state law" (Goldstein, p. 1321). If the parent group in your situation would enjoin the school board from putting into effect any offensive policy decision, then the Keefe decision would no longer hold precedent. The Keefe decision did not look at the chain of command—from school board to teacher, with the teacher at the bottom. You might be in danger of being fired, if your school board were not solidly supportive of its teachers, and if enough pressure (such as "enjoining") were brought upon the school board by the parent group. Goldstein points out many flaws of reasoning in your other case, *Parducci*. With the flaws that Goldstein indicates, a court today might not consider the *Parducci* case to be a firm precedent. Another case may be more to the point. *Mailloux v. Kiley*, 436 F. 2d 565 (1st Cir.), after dismissal, 323 F. Supp. 1387 (D. Mass.), *aff'd*, 448 F. 2d 1242 (1st Cir. 1971), limited academic freedom to the "tests" already set forth in Keefe and *Parducci*. In other words, the *Mailloux* case would not go beyond Keefe and *Parducci* to state an undeniable constitutional guarantee of academic freedom. Rather, the court concluded that academic freedom is more an "interest" than it is a "right," as Goldstein points out.

Some of your arguments in Round One might hold up in a court proceeding; however, these are muddy areas of law, and you might get stuck.

ROUND TWO

Situation. The parent group brings pressure on the school board to remove from the library the textbook objected to in Round One. The school

board agrees to remove the offensive textbook as well as two or three other books that the parent group also has found to be objectionable. The school board has ordered you to stop using the textbook in your classes. You want to preserve your right to teach what you decide to teach. What can you do? Choose Card D or Card E.

Card D. You decide to go against the school board's order, and you continue to use the disputed textbook in your classes. Your argument is that you have the academic freedom to use the duly adopted textbook which has been found objectionable by parents who are not professional educators. Also, you urge the librarian to keep the textbook shelved in the school library, along with the other "offensive" books. You instruct the librarian to respond to parental attacks by citing the recent Ohio case, *Minarcini v. Strongsville City School District*, 8/30/76 (*The United States Law Week*, p. 2132). In that case, the court decided that books could not be removed from the library simply because someone found the books to be offensive. The court reaffirmed U.S. Supreme Court opinions which held that students have a constitutional right to know and to hear opposing points of view. This right to know would be denied by removal of books from a library.

Card E. You argue that the textbook is not obscene and does not conflict with the Judeo-Christian morals and values of the community. You go against the school board order and continue to teach from the disputed textbook. You also talk the librarian into keeping the textbook shelved in the school library, along with the other objectionable books. You and the librarian decide to use as your argument "academic freedom."

Results. If you chose Card D, you may have chosen an unwise course of action, although your argument involving the Minarcini case may be one of the best arguments available to teachers today. In this situation, the school board is enjoined by the parent group to back up its order to remove the book from the curriculum and from the library (as well as the other "offensive" books). Despite your references to legal precedents that have stated that textbooks, after being duly adopted, must be used and cannot be discontinued ("Schools and School Districts," *Corpus Juris Secundum* (1952), Vol. 79, 433; and "Schools," *American Jurisprudence* 2d, (1973), Vol. 68, 607), the court decides that old laws are not precedential in this case, and it gives the decision to the parent group. The school board has the right to remove objectionable textbooks, according to the court. The court follows the thinking of Goldstein; that is, academic freedom is a constitutional interest but not a guaranteed right, particularly in cases where a teacher can teach objectionable material to impressionable young minds, thus violating the students' rights. Furthermore, the court holds that the books should be removed from the library. The court refers to the decision in *President's Council, District 25 v. Community School Bd. No. 25* (cited above), wherein the court said that books could indeed be removed from the library. The foregoing is one path the court might take.

On the other hand, the court might accept the Minarcini argument and award you the decision. The court in the Minarcini case upheld the students' right to know. The court said, "Here, the court is concerned with the

right of students to receive information that they and their teachers desire them to have. Recent Supreme Court opinions firmly establish both the First Amendment right to know involved in this case and the standing of the students to raise the issue" (p. 2132). The Minarcini case may be one of your strongest cards.

The court might take yet another path in this situation. First, you might be in danger of being fired, particularly if your school board is not solidly behind its teachers. Your refusal to acknowledge the school board's order to stop using the disputed textbook could be read as insubordination. Secondly, if you signed a group contract when you began to teach at your school, then you may have signed away your rights to academic freedom. Many group contracts have clauses that sign away a teacher's rights to academic freedom. In the case, *Bob Cary, David Nykerk, Glenn Reed, Laurel Stonbraker and Lee Bridgeman v. Board of Education of the Adams-Arapahoe School District 28-J, Aurora, Colorado*, discussed in an article by Claire Cooper in the March 5, 1977, edition of *The Rocky Mountain News*, a district court judge said that teachers could surrender their academic freedom through group contracts.

Also, in your situation, the board might decide to fire the librarian. As Robert M. O'Neil has pointed out in *Human Rights*, Vol. 4, Summer 1975, pp. 295-312 and in Vol. 42 of the *University of Cincinnati Law Review* in 1973, pp. 209-252, the librarian is caught between several legal constraints. Had the librarian removed the book (as the school board ordered), other parents in the community might have complained. A librarian's rights have not been clearly spelled out, and it is difficult to predict the consequences of a librarian's actions.

If you chose **Card E**, you may have arrived at a sound argument. The parent group may have received advice from Educational Research Analysts, the nonprofit public foundation of Mel and Norma Gabler of Longview, Texas. You may have glanced through a book about the Gablers, called *Textbooks on Trial*, by James C. Hefley (Victor Books, Wheaton, Ill., 1976). You may have realized that the Gablers have long concluded that America was founded on Christian principles, which your textbook allegedly rejects. You may have decided to look into an 1890's case referred to in Appendix X (p. 209) in the book about the Gablers. The case the Gablers refer to may be *Holy Trinity Church v. United States*, 143 U.S. 457 (1891); the Gablers contend that this 1890's case stated that America was founded on Christian principles. You may have discovered that the case states that America is a "religious" country—not necessarily a fundamentalist Christian country. You explain this to the parent group, and they have no argument. You may also have a right to academic freedom (as discussed in the **Results to Round One**).

In **Round Two** you have fared somewhat better. You have developed a strong argument against removal of library books, based on the Minarcini (Strongsville, Ohio) case. You have also made a plea for academic freedom, which may be a constitutional right (as long as you have not signed a group contract waiving that right). Also, you may have been able to argue ra-

tionally with the parent group by contradicting statements in *Textbooks on Trial*, a book about the Gablers.

ROUND THREE

Situation. The parent group gets a great deal of newspaper space to attack textbooks, library books, and teaching methods in your school. The parents also secure radio air time and television commercials for the purpose of attacking offensive books and methods. The attacks are filled with references to "secular humanism," a religion being taught by the teachers in the school—a religion contradicting the Christian principles on which this country is based. The ads and commercials point to two U.S. Supreme Court decisions which held that secular humanism is a religion. Therefore, with separation of Church and State in this country, secular humanism cannot be taught. What can you do? Choose **Card F**, **Card G**, or **Card H**.

Card F. You decide to research the U.S. Supreme Court decisions making secular humanism a religion. You discover that the Court, in *Torcaso v. Watkins*, Clerk, 367 U.S. 488 (1961), referred to the religion of secular humanism in a footnote to that decision. In addition, you find that the case, *United States v. Seeger*, 380 U.S. 163 (1965), never mentioned the term secular humanism; rather, the case footnoted the *Torcaso* decision. The research you are doing leads you to the case, *Fellowship of Humanity v. County of Alameda*, 153 Cal. App. 2d 673 (1957). In that California Appeals Court case, the court discussed secular humanism—a religion that met at regular intervals, much like other denominations. After searching in the *New Catholic Encyclopedia* and other books on American religions, you discover that a religion of secular humanism does exist; but you are far from being a member of that religion. You DO have a belief in a Supreme Deity (secular humanists do not, ordinarily), and you are not on the membership roster of any church of "humanity." Suddenly you realize what is happening; the parent group is confusing the religion of secular humanism (which cannot be taught in the schools, due to separation of Church and State) with "humanism"—a philosophy of teaching—or with humanities programs. You decide to counter the parent group arguments with an explanation of what constitutes secular humanism, followed by a denial that you are a member of a secular humanist church.

Card G. You go to your department head and ask that a philosophy of what you are teaching be prepared at once and put into writing. You speak to your school administrators to see whether they will back you up. Then you organize a group of parents and teachers (parents not in alliance with the complaining parent group) to hold regular meetings and to publish reports in local papers, thus airing your side of the argument.

Card H. You do nothing and wait for the storm to blow over.

Results. By your clear demonstration that humanism, the educational philosophy detailed by such writers as Carl R. Rogers and Carl Weinberg, and secular humanism, the religion or movement allegedly begun by Dr. John H. Dietrich, Unitarian pastor (Charles Samuel Braden, *These Also Believe* (New York: The Macmillan Company, 1963) p. 468) are two

different philosophies, you have taken the main force out of the parent group's argument. In this situation, one of your best defenses may be to define accurately the differences between secular humanism and the words that sound like that—humanism, or humanities program, for example. **Card F** is a good choice of cards.

If you chose **Card G**, you may have made a wise move—but you are a little late. Before a controversy ever arises in your community, you must have a written philosophy for what you are teaching. And you should know in advance of any disturbance whether your administrators will back you up. The idea to use the tactics of the parent group—getting newspaper space, and so on—is a sound idea. Fight their fire with logical argument and try to get equal coverage.

If you chose **Card H**, you chose a poor card. You should not think that the storm will blow over. In times of national distress, such as the Water-gate dilemma and inflation, people become frustrated. They would like to complain to Washington, D.C., but that place seems far away and unreachable. The schools often become the target for criticism. It is true that the pendulum may swing back; parents may gradually cease to object to textbooks and to teaching methods as the national socio-political climate changes. But keeping an alert mind is to be preferred over waiting for things to change. Be prepared to act. Know your cards and how to play them.

There is hope for teachers, but there are dangerous pitfalls as well. One such pitfall would be to assume your opposition is uneducated or kooky. As you can see from this game of chance, the parent group depicted here is well organized and willing to work hard for its goals. To dismiss complaining parents as kooks is to lose the game. The game is risky, but it can be won.

A Student's Right to Write

Does a student in a public high school have an inalienable right to write? The answer to this question may directly affect both creative writing programs and journalism programs in the public schools.

It is now well established that neither student nor teacher gives up his constitutional rights at the schoolhouse gate (*TINKER v. DES MOINES SCHOOL DISTRICT* 393 U.S. 503—1969). Included within these constitutional rights are free expression and a guarantee of procedural safeguards to insulate teachers and students from arbitrary actions. A student can only be legally free to write when he has no fear of punishment for the content of his work and when the teacher does not fear disciplinary action for freeing the student to write through creative assignments. A student's right to write depends equally on his free exercise of his own constitutional rights and the free exercise of those of his teacher.

Traditionally, local boards of education elected by the voters of the school district establish, or at least approve, policies regarding school curriculum. Most such policies are of a general nature and include naming courses to be offered and approving the textbooks to be used. However, in the absence of specific school board proscriptions on the use of certain materials for assignments, the teacher has much freedom in making class assignments. The courts have been consistently adamant that no person should be punished for conduct unless such conduct has been proscribed in clear and precise terms (*PARDUCCI v. RUTLAND* 316 F. Supp. 352—Alabama 1970).

Additionally, the courts have recognized that teachers have a duty to ensure propriety in assignments. A teacher who required two fifth grade girls to write the vulgar expression for sexual intercourse some one thousand times in the presence of classmates as punishment for using the term, is not immune to disciplinary action (*CLESTINE v. LAFAYETTE PARISH SCHOOL BOARD* 284 S. 2d. 650—C.A. La. 1973). However, before the teacher's right to make an assignment can be curtailed, the board must "show either that the assignment was inappropriate (for the students), or that it created a significant disruption to the educational process of (the) school" (*PARDUCCI v. RUTLAND* 316 F. Supp. 352, 356—Alabama 1970).

The use of vulgar terms in the supplemental materials cannot by itself constitute grounds for disciplinary procedures against the teacher (*KEEFE v. GEANAKOS* 418 F. 2d. 359—1st Cir. 1969). Courts do not question the fact that governing boards may regulate supplemental teaching materials, but regulations cannot be *ex post facto*. When a teacher uses a vulgar term, in one instance the vulgar term for incestuous son appeared in a short story written by the teacher and read to his creative writing class, the use must be in the pursuit of a bonafide educational purpose (compare with *CLESTINE*) and its use cannot adversely effect the welfare of the school or the pupils (*LINDROS v. GOVERNING BOARD OF TORRENCE UNIFIED SCHOOL DISTRICT* 108 Cal Rpt 185—Sup. Ct. Cal. 1973).

When a discussion in an English class included a history of the vulgar expression for an incestuous son, the teacher was protected by the courts because of absence of any proscription and determination by the courts that the offending word was quoted for demonstrated educational purposes (*MAILLOUX v. KILEY* 448 F. 2d. 1242—1st Cir. 1971).

The courts have recognized that socially acceptable speech and conduct are proper concerns of elementary and secondary public schools and that vulgar speech and mannerisms in school activities are subject to regulation by school officials. However, absent specific proscriptions, when a teacher allows the use of vulgar terms because they had legitimate good-faith purpose in meeting an educational goal, and absent substantial and material disruption, then the teacher cannot be disciplined (*WEBB v. LAKE MILLS COMMUNITY SCHOOL DISTRICT* 344 F. Supp. 791—Iowa 1972).

Two cases are directly related to the point. Where a teacher had initiated a "Think-do" unit in a second grade class, which resulted in the teacher and her students writing letters to school authorities critical of certain practices at the school, the teacher's conduct was considered to be protected by the First Amendment of the Constitution. The court said:

The Supreme Court has recently had occasion to consider the law in this and analogous areas. It has pointed out on numerous occasions the importance of the teaching profession in our democratic society and the necessity of protecting its personal, associational and academic liberty. Scholarship cannot flourish in an atmosphere of suspicion and distrust. Teachers and students must always be free to inquire, to study and to evaluate (*DOWNES v. CONWAY SCHOOL DISTRICT* 328 F. Supp. 338—Ark. 1971).

In a second case, a teacher in an effort to get students of lower social economic backgrounds to write, allowed them to write anything they wanted to. The result was a group of writings which contained obscenities and slang references to male and female sex organs. The teacher mimeographed the students' works and discussed them the next day in class. The teacher was dismissed when a copy of the mimeographed sheet found its way to the principal's office. The court overturned the dismissal. Although the court did not rule on the merits of the teaching method which included reproducing the students' works, it held that the teacher's conduct did not render her unfit to teach, and since the technique did not disrupt or

impair the discipline of the teacher's students or the teaching process, her dismissal could not stand (*OAKLAND UNIFIED SCHOOL DISTRICT OF ALEMEDA CO. v. OLICKER* 102 Cal. Rpt. 421—C.A. Cal. 1972).

Interestingly, in these two cases, there was no evidence that any action was taken against the students. Although the legality of any action taken against the students for fulfilling an assignment can only be speculation since the issue has not been litigated, it would appear that if the teacher has a right to free the students to write, the right of the students to write is enhanced.

The teacher's freedom to make assignments seems to be conditioned on specific rules and regulations by which he must abide: legitimate, good-faith educationally defensible purposes in the assignment, the propriety of the assignment to the age of the students, and a lack of material and substantial disruption resulting from the assignment.

Since the issue of a student's right to write has not been specifically litigated, to make generalizations as to whether such a right exists, it will be necessary to examine certain principles of law established in related cases and apply them to student writing. As already indicated, students do not give up their constitutional rights at the schoolhouse gate. Yet, no one has a right to shout "fire" in a crowded theater (*SCHENCK v. UNITED STATES* 249 U.S. 47, 52—1919). So students enjoy First Amendment rights, but those rights are not absolute. Again, the courts are called upon to balance these rights with the compelling interest of the state in maintaining a disruption free educational program.

The issue of a student having in his possession materials which contained words judged to be obscene, specifically the vulgar expression for sexual intercourse, came before the courts when a student was expelled for having in his possession an *Argus* magazine which contained the offensive word. Although the school board had a regulation prohibiting students from having in their possession obscene material, the court noted that the same word appeared in *Catcher in the Rye* and *Harpers Magazine*, the former of which was required or optional reading for ninth and tenth grades and the latter found in the library. The court said:

We are compelled to reject the position of the (school board) in the case, because it is preposterous on its face. It is contrary to any sense of fairness or consistency—a student, placed in the situation in which this school has placed this student, is required to make a judgment that we, as a court, would find difficult to make . . . we do recognize rank inconsistency . . . And the inconsistency is so inherently unfair as to be arbitrary and unreasonable, constituting denial of due process, thus compelling us to conclude that plaintiff's expulsion cannot stand (*VOUGHT v. VAN BUREN PUBLIC SCHOOL* 306 F. Supp. 1388, 1396—Mich. 1969).

The court again considered consistency of school board action in *KEEFE* in issuing an injunction prohibiting the dismissal of a teacher for using material in which appeared a word found in books in the school library. The court found it hard to think that any student could walk into the library and receive a book, but that his teacher could not subject the content

to serious discussion (*KEEFE v. GEANAKOS* 418 F. 2d. 359—1st Cir. 1969).

It is well established that boards of education may make reasonable regulations as to the time, place, and manner of distribution of materials, to require that each article identify its author by name, and to prohibit the distribution of obscenity (*SCOVILLE v. BOARD* 425 F. 2d. 10—7th Cir. 1970, *BAKER v. DOWNEY* 307 F. Supp. 517—Calif. 1969, *SULLIVAN v. HOUSTON* 307 F. Supp. 1329—Tex. 1969). When a board policy which required student materials for distribution to be submitted to administrative authorities for approval, the specificity of the regulation did not meet the standards of the court. The court recognized that the instant policy did not seek to punish students for the content of the publications because to do so placed excessive "chill" on First Amendment rights. The court did not rule out prior restraint, it only required greater specificity in that "distribution" must be defined to make clear that the board is referring to substantial distribution, a person must be named to whom the material is submitted, procedures as to how the submission is to be accomplished must be delineated, and a definite brief period must be set within which the review will take place (*EISNER v. STAMFORD* 440 F. 2d. 803—2nd Cir. 1971).

The courts have held that prior restraint on expression because of its message, its ideas, its subject matter, or its content, is a power of restraint denied government by the First Amendment. But since the rights of secondary students are not coextensive with those of adults, restraints may be valid if they are reasonably designed to adjust these rights to the needs of the school environment. Again, the emphasis on legally acceptable prior restraint is on the distribution of material on school premises, during school hours where authorities can reasonably forecast substantial disruption of, or material interference with school activities (*BAUGHMAN v. GREIENMUTH* 478 F. 2d. 1345—4th Cir. 1973).

The litigation which emphasized distribution is specifically pertinent to school publications which are intended for distribution. However, since the litigation regarding prior restraint does not include regulations which seek to punish the student for the content, these court decisions must be indirectly applied to the expression or the content, which is the essence of a student's right to write. Writings which can be reasonably forecast to create substantial and material disruption of school activities can be curbed by school authorities. However, when the constitutionality of a regulation is questioned, the burden of justifying it falls upon the school board (*VAIL v. BOARD OF EDUCATION OF PORTSMOUTH SCHOOL DISTRICT* 354 F. Supp. 592—H.H. 1973). It would be difficult to forecast material and substantial disruption from a student's writing which is not intended to be read outside the classroom.

Obscenity and libelous writings are not protected by the First Amendment and may therefore be prohibited. However, the court warns that terms such as libelous and obscene are not sufficiently precise and understandable by high school students and administrators untutored in the law to be acceptable criteria for proscriptions on writings. Clearly the use of offensive

words in writing does not in itself render the work obscene (*BAUGHMAN v. GREIENMUTH* 478 F. 2d. 1345—4th Cir. 1973).

In referring to regulations on prior restraint, Judge Craven concluded: "... we think letting students write first and be judged later is far less inhibiting than vice versa" (*BAUGHMAN v. GREIENMUTH* 478 F. 2d. 1350—4th Cir. 1973). Although courts have refused to categorize those materials over which high school administrators may exercise prior restraint, the courts are consistent in that restraints must be based on reasonableness and not undifferentiated fear or apprehension of disturbance, nor dislike or disagreement with the views expressed in the written material (*VAIL v. BOARD OF EDUCATION OF PORTSMOUTH SCHOOL DISTRICT* 354 F. Supp. 592—N.H. 1973).

The United States Supreme Court ruled that the dismissal of a student for publishing material which the governing board disapproved of cannot stand. "... the First Amendment leaves no room for the operation of a dual standard in the academic community with respect to the content of speech..." (*PAPISH v. BOARD OF CURATORS OF THE UNIVERSITY OF MISSOURI* 410 U.S. 667, 671—1973). Since *PAPISH* did not deal with prior restraints, but with the constitutionality of punitive measures taken against a student for disapproved content of his writing, it would appear that high school students may be equally immune from punitive measures taken by school authorities for disapproved content.

Although the issue of obscenity was not raised in the United States Supreme Court ruling in *PAPISH*, that issue was attacked directly when a board regulation concerning the distribution of an allegedly obscene publication was questioned. The court refused to consider a publication obscene that contained a few earthy words relating to bodily functions and sexual intercourse used primarily as expletives since the publication contained no material which was in any significant way erotic, sexually explicit, or which could plausibly be said to appeal to the prurient interest of adult or minor. The court applied the test for obscenity developed in *MILLER v. CALIFORNIA* (413 U.S. 14) which

limited the scope of the obscenity exception to first amendment protection to 'works which depict or describe sexual conduct' and 'which, taken, as a whole, appeal to the prurient interest in sex, which portray sexual conduct in a patently offensive way, and which, taken as a whole, do not, have serious literary, artistic, political or scientific value' (*JACOBS v. BOARD OF SCHOOL COMMISSIONERS* 490 F. 2d. 601, 610—7th Cir. 1973).

The court held that "making the wildest conceivable allowances for differences between adult and high school students with respect to perception, maturity, or sensitivity, the material pointed to by defendants could not be said to fulfill the *MILLER* definition of obscenity." (*JACOBS v. BOARD OF SCHOOL COMMISSIONERS* 490 F. 2d. 610—7th Cir. 1973).

In considering whether the board's educational responsibilities justified its preventing the use by students in the publication of words considered coarse or indecent, the court concluded: "... that the occasional presence of earthy words in the (publication) can not be found to be likely to

cause substantial disruption of school activity or materially to impair the accomplishment of educational objectives" (*JACOBS v. BOARD OF SCHOOL COMMISSIONERS* 490 F. 2d. 610—7th Cir. 1973).

The courts have created a legal arena of a student's right to write which, as with all constitutional rights, is not absolute. But in the final analysis, the student's right to write may be most dependent on the individual classroom teacher, both in exercising his rights to make creative assignments and in creating an atmosphere of freedom in the classroom.

We Are All Censors

Teachers usually see attempts at censorship as attacks from outside the profession against materials or methods of teaching they use, a battle between the good guys and the bad guys (them). This view is reflected in a response of one teacher to the censorship survey; this teacher saw censors as "close-minded people inflicting their biases upon teachers who are attempting to 'tell it like it is' and presenting 'the other side'." This statement implies that teachers are the ones who know the truth and try to tell it; censors are those outsiders who try to stop them.

Sometimes it appears that the profession somehow has mistakenly certified one of the bad guys; the teacher or administrator is the close-minded person. Another respondent to the survey said, "The problem seems to be people. In some communities there are a few self-righteous persons who must impose their view on everybody else. In other cases there is an odd teacher who has a lopsided idea about life and ignores propriety. Neither is right. Both of these idiots have tunnel vision."

I am not sympathetic to the good guys vs. the bad guys view of censorship, nor am I sympathetic to the notion that censorship can be avoided if we observe the rules of propriety, whatever those are. I wish to argue that we are all censors. *The Random House Dictionary of the English Language* defines a censor as "any person who supervises the manners or morality of others," or in Freudian theory, "the force which represses ideas, impulses, and feelings, and prevents them from entering consciousness in their original, undisguised forms." Using either or both of these definitions, one can argue that all teachers, administrators, and the institution of school itself are censors. Schools do supervise manners and morality; at least they try to. Those who would argue that the business of the schools is to teach skills and the business of parents is to teach morality or values are naive. No such dichotomy can be made. Schools and parents do both. It is impossible to teach any skill without promoting certain values at the same time. Schools teach certain skills while not teaching others because they value certain skills over others. Parents do the same. Sometimes a culture will even define those skills it believes it values most highly as "basic skills."

One can even argue that there really is no dichotomy between a value and a skill; values are skills, skills are values. For example, a Native Ameri-

can (at least a pre-twentieth century one) might say to an Anglo-American, "Why do you value writing so much; we have done very well without it for hundreds of years." In this sense, writing is both a skill and a value. Perhaps we might gain some insight into the problems of teaching writing today if we recognized this dual nature of value-skill more consciously. Perhaps the Johnny of today can't write as well as the Johnny of yesteryear (although I'm not convinced this is true) because he (our culture) values writing less than he (it) used to?

A person's manners and morality are a combination of all the values-skills that person possesses. Schools will shape their students' manners and morality to the extent they are successful in inculcating in those students the values-skills they are promoting. While promoting certain values-skills, we necessarily screen out or repress others. In this process, we all become censors. Some parents don't want their children to read *Catcher in the Rye* because they fear they will begin swearing if they do read it; I have known some teachers who don't use it for what I suspect are similar reasons.

We as teachers continually discuss and debate among ourselves the structure of the curriculum and the materials and methods we use. To maintain that we as certified professionals have an edge on truth and the right to engage in this process while parents do not is to be hypocritical. To defend the use of *Catcher in the Rye* with the arguments that literary critics have labelled the book a good piece of literature or that a group of educators have put their stamp of approval on it is to hide behind the mask of professionalism. The only honest defense of the use of a book in a course is to try to show why and how we are using the book, how it will help in achieving the values-skills we are promoting. Teachers may see value in using books with "obscene" language and sex in them; certain parents may not. But this is the arena we should play in. Although neither side may convince the other, at least both are playing the same game. The final score in such a censorship game will likely be determined by who has the most political clout or by who is the most skilled in maneuvering, but at least the game will be a little more rational.

What frightens me is that I sense teachers and schools are not very conscious of the process of inculcating values-skills they are engaged in. For example, a good deal of rhetoric in our society advocates that the values-skills which our schools should be promoting are those which will enable our students to be democratic citizens. I assume these values-skills would include making choices among many alternatives, accepting responsibility for those choices, believing in and exercising freedom of speech, questioning authority, communicating with many different kinds of people, and being compassionate. But how consciously do we structure our schools in light of these values-skills? In practice, I sense that our schools often promote authoritarian values-skills. How seriously do schools promote freedom of speech? How seriously do schools promote the questioning of authority? Students will neither value these skills very highly, nor will they be very skilled in these values, unless they are encouraged to practice them in our schools.

Recently while on sabbatical at the University of Minnesota, I had the opportunity to sit on the other side of the desk. I quickly became disenchanted with one of the courses I was most looking forward to. The course was totally laid out in a very authoritarian manner. There was no freedom of choice, either among alternative learning styles or among materials. Questioning of authority was actively discouraged. Several students complained at the beginning of the course about the nature of the projects we had to do and asked for alternatives or at least a reasonable explanation of the purpose of the projects. They received neither. Sensing that they would get nowhere without endangering their grades, they meekly sat back and did what they had to do to pass. The irony was the course was Psychology of Women and the professor pretended to be a liberationist. Students in this course had little chance to exercise or develop those skills I have suggested are vital to a democratic society. Yet I suspect that this professor believes in democratic values and skills; she likely is not very aware of how her methods of structuring a course promote values-skills which are antithetical to those beliefs.

Her problem is similar to that of the "new" censors whom Gaines and Yesner have described in their articles in this journal, people who see themselves as liberals who are promoting authoritarian values by their demands that racist and sexist materials be deleted from our libraries and school systems. Now, certainly, in the sense that I have argued previously, both libraries and school systems do an enormous amount of censoring. They both have limited resources and in the process of selecting materials, they are promoting certain materials while ignoring others because they value certain materials or the use of them more than they do others. To merely scream "censor" at someone who attacks this selection of materials or to accuse this person of being against freedom of speech is to be hypocritical. We must get back into the rational arena. One may argue interminably whether a particular book or film is racist or sexist. The real questions are whether libraries should contain racist and sexist books and whether teachers should use racist or sexist materials in their classrooms for what purposes.

A school system may well set as a top priority the promotion of non-racist and non-sexist attitudes in their students. One way to do this would be to prevent students from ever having any encounters with a racist or sexist or with racist or sexist books, magazines, films, T.V. shows, etc. Censor their experience so that they never know what a racist or sexist is; then they will be so properly acculturated that when they do meet one, they will be so horrified that they will shoot the person on the spot.

Besides being impractical (the attempt to preserve innocence seldom succeeds), this method would be in direct opposition to those methods we should be using to promote those democratic values-skills I have described. If we are really serious about helping students to develop these values-skills, then we should be arguing that they have the chance to judge alternative modes of life, the chance to make real choices among those alternatives and the chance to bear the consequences of their choices. If students are to have real choices between sexist and non-sexist ways of behaving, they must

somehow come into contact with both modes of behavior. Teachers may have to use sexist materials in the classroom to accomplish this.

But let the teachers bear the burden of proof. There is evidence that the public has lost considerable faith in its political, economic, and educational institutions. Schools are likely to be under increasing attacks in the future. If we cannot reasonably show the public exactly what values-skills we are trying to help students learn and why certain learning materials are an important part of that process, then perhaps we should go out of business. At any rate, let's not be hypocritical; let's not pretend we don't censor when we do; let's not pretend we have an edge on truth when we don't. Otherwise, we will merely reinforce the cynicism of the growing number of those who can see through the hypocrisy. One such person is Alan Watts, who wrote, "The political and personal morality of the West, especially in the United States, is . . . utterly schizophrenic. It is a monstrous combination of uncompromising idealism and unscrupulous gangsterism."

Our Changing Censorship

Here is what an intelligent and sensitive parent had to say about *Back to School With Betsy* in justification of removing the book from the school library shelves. "Unfortunate social stereotypes are advanced"; "The book is suffused with sexism"; "They [the books in the series] are typical of an era when authors pretended little girls played in dresses and Mary Jane shoes . . ."

As we can see from the above, the historical reasons for removing any book have not changed. What have been those reasons? The book contains undesirable information and ideas; the book is dated; the book is corrupting; the book expresses points of view unacceptable to a majority or to a minority; the book lies; the book supports bad political, social, and sexual viewpoints; the book advocates misbehavior. The author is unconventional, socially different, immoral, etc.

In every case, a protectionist attitude asserts that children or adults need to be saved from influences unacceptable to some group. In every case, the underlying assumption is that people in general are easily swayed, especially by the printed word. The belief in the magic and power of the word in print is still extant 500 years after Gutenberg, even though we know that the influence attributed to books and newspapers is largely dependent on societal factors that often only accidentally concur with the power of print. Steinbeck's *Grapes of Wrath* possessed power that *Cannery Row* did not, simply because it propitiously caught the conscience of a society already eager for symbolical exemplification of the problem of the depression. If it had been written 30 years earlier, it would have been prophetic and interesting; 30 years later, it would have been like *Hard Times*, nostalgic.

What is being said about the "Betsy" series is true, but to extrapolate from that truth to its effects on today's children is to exclude all other influences on those children and is tantamount to asking that Robin Hood, tales about King Arthur and his knights, and Tom Sawyer ought to be removed from library shelves, too, on the basis of a fear that children will take them seriously and model their lives on them.

Some modeling indeed will take place (some boys still pretend they are Tarzan; others pretend they are gorillas) within the context of the current

reality of children's daily lives—their home and school lives, their lives with their peers, and their lives in a society of subtly changing values. For instance, *The Hardy Boys*, *Nancy Drew*, and *Superman* have been read by several generations of young people without noticeably affecting their perceptions of reality.

The reason seems simple. Stories are stories. Children know this. They enjoy the stories not as didactic training exercises preparatory to emulation, but as escape, fantasy, and pleasure.

When we probe into the psychology of the moralist, or the one who objects to certain vicarious experiences obtained through print, we often find someone who really objects to the escapist function of story, someone who wants to control the "message"—whether it be through fact or fiction.

Here are what some other people (many of them teachers, librarians and principals) have advocated recently about certain books:

Smokey by Bill Peet, contains a "stereotyped image of Native Americans, emphasizing warlike behavior." The person complaining fears a reinforcement of prejudice and a continued "put-down of the Native American." He recommends in its place "a very good book about Native Americans."

The Lewis and Clark Expedition by Richard L. Neuberger, contains stereotypical information and much misinformation.

A book in the Harper and Row Basic Reading Series, *Around the Corner*, contains the theme of retaliation in the story entitled "Surprises." A parent thought this theme would make students vindictive.

An excerpt from a Vachel Lindsay poem entitled "What is White" in *From Coins to Kings*, Harper and Row, contains a description of whiteness which suggests goodness when compared with a poem about blackness on the opposing page. The recommendation was that the offending pages be cut out of the book.

What begins to emerge as criteria for judging the worth of a story, or of literature, is not the issue of "story" but the issues of our time. Thus, many stories now have feminist criteria applied to them: Is the central character male or female? In a collection of stories how many central characters are male versus female? Are males and females depicted in non-traditional roles and therefore free from sex-role stereotyping? Are mothers and fathers presented in a wide variety of activities? Are boys and girls shown as relatively similar in attitude and behavior?

To say that these are the wrong criteria to apply to stories immediately classifies a person as a sexist or as an enemy of reform, but any analysis of these criteria reveals a substitution of other values, mainly prescriptive, for the value of "story." The motive by which judgments are made fall more within a definition of social engineering than of literature or of pleasure. The assumption is clear that stories will change the nature of things rather than vice versa; and worst of all, because of this assumption, is the claim to the prerogative to violate stories in order to manufacture a personal vision of the good society.

The effects of these views contained within a new enlightened liberalism has been to create a new censorship, really on examination not too

different from the old. Though the new censors are not afraid of four letter words, or explicit sex or anti-American viewpoints, they are still afraid of certain words and descriptions, those that are "sexist" or "racist." One gets the feeling of a personal salvation being worked out on the basis of liberation from racist and sexist closets. A person can not cleanse himself by searching out evidence of sexism and racism. The catharsis expresses itself with a vigor and self-assurance that allows for no disagreement or interference.

As a result, the Students' Right to Learn Committee formed some years ago by the Minneapolis Schools to combat harassment of, and infringement on, teachers' and students' rights to read and see whatever they thought necessary has now moved gradually toward constraints. Recently, the Committee authorized in the case of *Smokey* that it be "weeded out" of the library collections, which is in marked contrast with a previous response to the complaint about the Betsy series. The Committee said about Betsy:

Though the Committee is also concerned about blatant sexism and racism, it cannot advocate removing books from shelves in order to hide them, or placing them in a kind of "museum" environment just to be looked at as curiosities or relics. Instead, the Committee recommends that librarians and teachers deal with racist and sexist materials in such a way that students can become perceptive, critical, and humane readers. . . . The Committee strongly recommends that libraries acquire materials that offer countervailing attitudes and characters to the sexual and racial stereotypes in the books you mentioned.

The Committee informed the parent who feared the theme of retaliation that this "theme exists in literature . . . because retaliation is a fact of human behavior. When a story deals with retaliation or murder or any other horrendous human act, it does not mean that the story necessarily fosters this act or advocates it."

Betsy then is retained and used in a constructive way; so is the story "Surprise"; *Smokey* is weeded out. The question is: Once you start weeding, where do you stop? What determines what should grow and what should not? What is a flower and what is a weed?

Without even realizing it, the Committee has undergone a change in attitude. The conviction that a breadth of experiences gained through reading and meliorated through the various attitudes of teachers has been altered to allow fairly limited experiences to trickle through a pre-established filtering process.

A short time ago, the intent of some teaching and the use of some literature was to expose children deliberately to ideas that challenged children's innate conservatism, an example being Saroyan's short story "Locomotive 38, the Ojibway." Today that story is considered stereotypical (meaning bad) and, though a challenge does exist in the views that ethnicists-feminists wish to impart, it is the challenge of a closed system with preconceived and well established notions of right and wrong. The effort seems aimed at creating new, good stereotypes and becomes in the process thinly disguised indoctrination.

Now one can argue that all schooling everywhere is indoctrination, that our schools have been indoctrinating for years in the prevailing socio-ethical, socio-economic views and that it is time for a new kind of indoctrination. I do not deny the view that a large part of schooling has been indoctrination, I do deny its value as a conscious, institutionalized procedure no matter what the point of view espoused. I deny it and would oppose it. And I certainly would not justify my behavior on the basis of behavior I have consistently found distasteful.

Theoretically, at least in a relatively open society, a student passing through the schools should encounter a series of experiences from teachers and books representing a diversity of backgrounds and viewpoints, whether advertently or inadvertently. These experiences should, again theoretically, provide some opposition to the main stream of opinion.

The danger to openness rests in the discovery of "truth," whether religious or social. Having discovered this truth, the possessors feel honor bound to screen books to assure themselves that libraries are pure, and to screen employees to eliminate divergent and non-conformist thinking.

The Committee was able to realize in the case of the two poems dealing with whiteness and blackness "that neither poem conveyed . . . images, negative or positive, and that only by reaching for comparisons in meaning not intended by the text could one have detected racist overtones, or preferences for white or black, in the poems." The Committee realized that "the mention of black and white in our time may immediately connote race, notions of good and bad, purity and impurity," but it recommended "that when students raise these interpretations, the teachers deal with them, pointing out that whiteness and blackness exist regardless of our naming them and valuing them."

Yet, in the case of *Smokey*, the Committee recommended that it be "weeded out." And in the case of a film, "How to Say No to a Rapist," an admittedly self-glorificatory and self-promotional effort for a Mr. Storaska, the Committee recommended withdrawal from circulation. The latter decision was based not so much on opinions about the misinformation in the film as on the feelings that Storaska and the film put down women.

In reviewing the few complaints mentioned here—complaints typical of others—it can be noticed that they not only represent a desire to control the use of books and film based upon the beliefs of feminists and ethnicists but also on the misreading of text. To say the least, the road to confusion and error is flooded with good intentions.

Dr. Gaines, in the preceding article, has touched on this new censorship, the result of the current awakening on the part of minority groups and women. In the course of this awakening there is the natural desire to reform history, to rewrite events as a form of compensatory lying justified by the fact that traditional history, written from the perspective of white males, expunged facts and truths about blacks, Indians, Chicanos, Asians, and women. The behavior of one power group now becomes the model for its opposition. For a person who seeks the unvarnished truth and a range of personal adventures through stories, the going is rough and often mixed by sen-

timent. The personalized "reality," the life-blood of literature, is transfused into the purposes of a futuristic vision of the ideal society. Accordingly, a cleansing of the language and of literature must occur so that no women or minorities are portrayed as they exist, or once existed, but as they should exist. From this perspective there are not and never have been wicked Indians, but only wicked whites.

Instead of this reverse ethnocentric perspective, we need a generic one that sees literature and stories as conveying through symbol, legend, myth, and metaphor the foibles, misconceptions, tragic attitudes and often horrendous behavior of all groups of human beings. For a while women and minorities seemed headed in this direction. They had anointed themselves in their travail to save not only themselves but also all of us. By virtue of their openness and self-examination, they forced us to look at the plight of the poor, the blacks, Indians, women, all the oppressed and forlorn folk of the world, and they turned the spotlight on our own selfishness, ignorance, and prejudice so that we began to act against ourselves in our own best interests. Suddenly the risks in this venture of dialogue seem too great, and, out of a desperation to maintain the momentum of a cause, coercion becomes the style, factionalism the trend, and exploitation of the young in captive classroom audiences the morality. In the long run the gains from this behavior may really be losses.

Are the Censors Confusing Humanism with Secular Humanism

Are you a secular humanist? If so, the textbooks you use, your teaching techniques, and your personal values may soon be attacked by parents who claim that you are forcing a religion upon their sons and daughters. If you are not a secular humanist, the textbooks you use may still be attacked because someone might think they were written by secular humanists.

Mel and Norma Gabler of Longview, Texas are two parents who have raised objections to the alleged teaching of secular humanism in schools across the country. James C. Hefley's *Textbooks on Trial*, a book about "Mel and Norma Gabler's ongoing battle to oust objectionable textbooks from public schools,"¹ speaks of "Christianity" being "unique and far superior to all other religions, including secular humanism."² The book further states that values education programs "are presented so favorably that few Christians realize they are based on humanistic relativism, in direct opposition to fixed moral values."³

Hefley's book about the Gablers repeatedly singles out a religion called secular humanism that presumably threatens the nation's schools. At one point, Hefley quotes Alice Moore, school board member in Kanawha County, West Virginia: "(S)ince the denial of supernatural forces is in itself a form of religion, the promotion of agnosticism or nihilism must also be unconstitutional."⁴ Hefley refers to secular humanism 27 times and suggests that it constitutes a denial of a Supreme Deity.

What are the effects of this religion upon the schools? The Foreword to the Hefley book says:

Bad textbooks full of immoral content and violence, biased toward increasing the centralized power of a secular humanistic state, will ultimately destroy the family, decent social standards, and basic principles of decentralized government that safeguard every American's individual freedom.⁵

Hefley indicates that secular humanism is a religion running rampant through America's schools. Hefley speaks of the fear the Gablers felt when they realized the extent of secular humanism in American education:

The Gablers were stirred by what they saw as the basic issue—robbing children of the heritage of family, church, and country. They could see only three possible ways of preserving this heritage for their children and grandchildren: (1) transfer their children to a Christian school teaching traditional values; (2) teach them at home; (3) fight the self-anointed system of secular humanism.⁶

Norma and Mel Gabler apparently consider that secular humanism has eroded traditional education to a frightening degree. In Appendix X to the book about the Gablers, Norma and Mel write:

Christian/moral content has gradually been eliminated, till today textbooks are nearly 100% amoral or humanistic even though two U.S. Supreme Court rulings (1961 Torcaso case; 1964 Seegar [sic] case) stated that humanism is a religion. It is evident that our nation has directly followed this path toward amorality and humanism. Thus it is vital that concerned citizens work to correct distorted textbook content.⁷

The Gablers are by no means alone in expressing fears that secular humanism, a religion, has invaded this country's school systems. A group of "concerned and interested citizens, parents, and taxpayers" in Delphi, Indiana, requested in November, 1974, that the Delphi Community School Corporation "remove all books teaching values, attitudes and beliefs which subvert parental authority, Judaeo-Christian values and religious beliefs. This refers to the teaching of the doctrine and religion called humanism."⁸ The Delphi bill of particulars has been distributed to at least five school boards in the state of Indiana.

An Indiana state senator has also decried the influence of secular humanism in schools. On May 2, 1975, Senator Joan Gubbins, in her debate with Edward B. Jenkinson on the Ball State University campus, noted that the Supreme Court had declared secular humanism to be a separate religion and that the teaching of secular humanist materials and ideals was illegal.

A Committee for Parental Rights presented a petition to the Penn-Harris-Madison School Corporation in Mishawaka on July 1, 1976. The committee objected to the participation of Planned Parenthood in any courses taught in the school district. Item nine in the petition is reprinted here:

We object to Secular Humanism being a part of the Penn-Harris-Madison school curriculum since it has been defined and treated as a religion by the Supreme Court.

The Supreme Court requires that Federal, State and Local Governments maintain neutrality among all religions.

Introducing Planned Parenthood Organization into the courses involves a sponsorship by school districts of a particular moral view of sexual matters. This view, in practical effect, is the viewpoint of Secular Humanism which the Supreme Court has recognized as a religion.

(*Torcaso Watkins 367 U.S. 488 (1961) sic*)

In essence, the Penn-Harris-Madison School Board is promoting an amoral secular view of reproduction which violates governmental religious neutrality and infringes on the free exercise of religion of those students and parents who believe that sex cannot be considered in isolation from their moral beliefs.

There is a strong likelihood that parents throughout the United States are becoming aware of the claim that secular humanism has invaded the schools. According to an abridged edition of *Textbooks on Trial*, available through Educational Research Analysts, the Gablers' nonprofit public foundation, *Textbooks on Trial* has enjoyed three printings in its first four months.

Are you teaching the religion of secular humanism? Are you a prime target for attack by parents who do not want their children indoctrinated with humanistic religious philosophy?

Toward A Definition of Secular Humanism

The Gablers (and Indiana State Senator Joan Gubbins) refer to two U.S. Supreme Court decisions proclaiming secular humanism a religion. In June of 1961, the U.S. Supreme Court, in the case *Torcaso v. Watkins, Clerk*, termed "Secular Humanism" a religion in a footnote to the Court's decision.⁹ In *United States v. Seeger*, the Supreme Court did not use the term "secular humanism."¹⁰ However, in a footnote to that decision, the Court did cite the *Torcaso* case.

To arrive at the decision that secular humanism is a religion, the Supreme Court referred to a decision by the First District Court of Appeals of California.¹¹ In the California decision, the Court of Appeals said that "under humanistic doctrine a belief in and reverence of God is not essential to membership."¹² The Court continued by quoting a book about Unitarianism:

The humanist is content, before this life's unanswerable questions, to leave them unanswered. He sees enough in the human scene to demand all his energies of mind and spirit. The fundamental questions seem real enough, but speculation upon them seems hopeless, and all answers proposed must rest upon what William James called "over-beliefs." The humanist says in effect, "One world at a time. I am interested in the world where I am now, in the moral purposes and meanings which the human mind has infused into it, and in the achievement of such ethical goals and ways of life as are possible." A similar attitude was taken by Buddha . . .¹³

In part, the Court based its decision that secular humanism constitutes a religion on the grounds that the Fellowship of Humanity met at a regular time in a regular place—much the same as religions having a belief in a Supreme Deity.

Other sources support the claim that secular humanism is a religion. The *New Catholic Encyclopedia* says:

More than abstract theory, secularism . . . is . . . in the broad sense of the word a religion. Secularistic ethics is founded upon the principals of a purely naturalistic morality that is independent of revealed religion or supernaturalism. . . .

Secularism may be described as "a view of life that limits itself not to the material in exclusion of the spiritual, but to the human here and now in exclusion of man's relation to God here and hereafter" (U.S. Bishops' Statement, 1947) . . .¹⁴

In describing secular humanism, the *Encyclopedia* continues: "Moral judgments can be determined only with respect to specific and developing situations; there cannot exist, therefore, universal norms of conduct, nor do human values have absolute or permanent significance."¹⁵

Charles Samuel Braden, in a book called *These Also Believe*, further defines the religion of secular humanism:

(1) It is a point of view shared by a large number of people who are related in no way to the formal movement. Considerable numbers of left-wing, liberal Protestants, found principally, but not alone, in the Unitarian churches are essentially humanists in outlook. The late Dr. John H. Dietrich, Unitarian pastor in Minneapolis for many years, is often called the father of the movement.¹⁶

In summary, the religion of secular humanism concerns itself with human life of the present moment, does not necessarily support a belief in a Supreme Deity, has been designated a religion in a footnote to a U.S. Supreme Court decision, and may be contained within specific meeting houses across the United States.

Humanistic Educational Philosophy Distinct from Secular Humanism

The Gablers and concerned parents like them rightfully have attacked the teaching of the religion of secular humanism in secondary and elementary schools. The laws of separation of Church and State in this country prohibit teaching anything that constitutes a religion. However, in the many references to secular humanism in the Hefley book, and behind the Delphi bill of particulars, and the statement by Senator Joan Gubbins, there may be a basic confusion of the term "secular humanism" with the educational philosophy called "humanism."

According to the *Dictionary of Education*, the first meaning of "humanism" is "any philosophy that emphasizes the dignity or interests of human beings or the importance of man in relation to the cosmic order."¹⁷ Humanism, a philosophy of teaching, attempts to give "students as many tastes of success as is possible . . ." so that "children bloom rather than wilt."¹⁸ Arthur Combs says of the need for humanistic teaching:

Modern education must produce far more than persons with cognitive skills. It must produce **humane** individuals, persons who can be relied upon to pull their own weight in our society, who can be counted upon to behave responsibly and cooperatively. We need good citizens, free of prejudice, concerned about their fellow citizens, loving, caring fathers and mothers, persons of goodwill whose values and purposes are positive . . .¹⁹

Combs states that humanistic education can bring about these positive societal goals.

On the other hand, Norma Gabler has said:

It is worth noting that as the humanistic religious tones . . . have increased in . . . education, it has been paralleled by an increase in disrespect, destruction, crime, burning of the flag, etc.²⁰

Mrs. Gabler must not be referring to humanistic teaching, particularly if Combs's goals for humanism (stated above) are taken as standard for humanistic educators. It is interesting to note that Mrs. Gabler refers to "humanistic religious tones." Clearly, the definitions of humanistic educational philosophy do not indicate a "religion" of any sort. In fact, humanism as an educational theory is quite apart from secular humanism, which already has been described as a religion devoted to a study of man in the

here and now. Humanism as a philosophy of education strives to help students to feel and to care; humanism in no way presupposes the denial of a Supreme Being. Nor do teachers calling themselves "humanists" necessarily set foot inside the doors of the Fellowship of Humanity church.

Conclusion

Are you, then, a secular humanist? Are you a prime target for attack by parents who do not want their children indoctrinated with humanistic religion? If you call yourself a "humanist" (or, perhaps, even if you do not), you may be seen as a member of the secular humanist denomination by parents who will object to your teaching on the grounds that the Supreme Court has declared secular humanism a religion. If you teach within a "Humanities" program or department, you may also be perceived as a secular humanist, even though the *Dictionary of Education* definition of "humanities" refers to "comprehensive courses in literature, language, art, philosophy, religion, and history"²¹—not to an organized religion called secular humanism.

How can you protect yourself from attacks by parents who inadvertently confuse the religion of secular humanism with humanistic educational philosophy and programs of humanities? If you are indeed not a secular humanist, then you might explain the tenets of the secular humanist religion, concluding with your denial of having membership in the secular humanistic practice. If you have a written explanation of the philosophies behind what you are teaching, then you can indicate the major differences between those philosophies and the doctrine of secular humanism to any parent complaining of your teaching techniques.

It is predictable that more and more often parents will be censoring textbooks, teaching methods, and teachers' personal beliefs by claiming the invasion of secular humanism in the schools. You must be prepared to defend what you teach.

Notes

¹James C. Hefley, *Textbooks on Trial* (Wheaton, Ill.: Victor Books, 1976), flyleaf.

²*Ibid.*, p. 32.

³*Ibid.*, p. 196.

⁴*Ibid.*, pp. 163-164.

⁵*Ibid.*, p. 5.

⁶*Ibid.*, p. 33.

⁷*Ibid.*, p. 209.

⁸mimeographed handout distributed to Delphi (Ind.) school board, November 19, 1974.

⁹*Torcaso v. Watkins, Clerk*, 367 U.S. 488, (1961).

¹⁰*United States v. Seeger*, 380 U.S. 163, (1965).

¹¹*Fellowship of Humanity (a Nonprofit Corporation), Respondent, v. County of Alameda et al.*, Appellants, 153 Cal. App. 2d 673, (1957).

¹²*Ibid.*, p. 680.

¹³*Ibid.*, pp. 690-691.

¹⁴"Secularism," *New Catholic Encyclopedia* (1967), XIII, 36.

¹⁵*Ibid.*, p. 37.

¹⁶Charles Samuel Braden, *These Also Believe* (New York: The Macmillan Company, 1963), p. 468.

¹⁷Carter v. Good (ed.), *Dictionary of Education* (New York: McGraw-Hill Book Company, Inc., 1959), p. 274.

¹⁸Harold C. Lyon, Jr., "Learning to Feel—Feeling to Learn," in *Humanistic Education Sourcebook*, ed. by Donald A. Read and Sidney B. Simon (New Jersey: Prentice-Hall, Inc., 1975), p. 37.

¹⁹Arthur W. Combs, "Humanistic Goals of Education," *Ibid.*, p. 91.

²⁰Hefley, *op. cit.*, p. 130.

²¹Good, *op. cit.*, p. 275.

Don't Think that the Censors will Ignore Peaceful Valley High School

Are there more incidents of attempted censorship today than ever before? If so, why? Who are the censors? What is being censored? How can students, teachers, and parents deal with censorship?

To find answers to those and other questions, I interviewed Edward B. Jenkinson, Professor of English Education at Indiana University, Director of the English Curriculum Study Center, and Chairman of the Committee on Censorship of the National Council of Teachers of English.

Spiewak: If there are more incidents of censorship today than ever before, what are some of the reasons for the increase?

Jenkinson: In my estimation, there are more individuals and organized groups attempting to censor books and materials today than ever before. And I think there are several reasons for their increased activity.

First, many parents do not recognize the subject matter we now call English. They think that English is diagramming sentences, writing innocuous themes, and reading *Silas Marner*. When some parents do take the time to look at their children's textbooks or to talk with them about homework assignments, the parents do not always understand what their children are doing, nor do they understand why students are being asked to read certain contemporary works of literature. Consequently, the parents may become upset after they read sentences out of context or after they try to compare what they did 20 or 30 years ago with what their children are doing today.

Second, some parents neither read nor like contemporary literature. They object to seeing four-letter words in print, and they also object to any stories that show conflict between teenagers and adults. One familiar cry of the censors is that today's books are anti-Christian, anti-parent, anti-government, immoral and obscene.

A third reason that censorship is on the rise is that more and more organized groups are involved in attempts at censorship. On the one hand, we have groups—frequently calling themselves "Concerned Citizens" and frequently obtaining materials and advice on censorship from specific organizations—who object to books that they call anti-God, anti-authority, and so forth. On the other hand, we have groups that object to books that

they label sexist or racist. I have heard this latter kind of censorship referred to as "good censorship." But to me, censorship is censorship whether it be labeled good or bad.

A fourth reason for the rise in censorship is that the schools are a convenient target for unhappy citizens. Many people feel that they cannot fight Washington, the state capitol, or even city hall. When they become unhappy because of inflation, federal or state laws, the so-called moral decline, or anything else, they want to lash out. But they don't always know how to attack the problems that really trouble them. So they vent their spleen upon the schools.

Whether elected or appointed, school boards must conduct public meetings. Citizens who feel that they cannot fight Washington can complain to school boards because they are accessible. And the schools themselves are open every week day, at least nine months out of the year. Parents can go to a school and demand an audience with the principal, and he or she can't refuse to see them. Nor can a classroom teacher refuse to see parents.

Because the media have given the schools so much publicity since the student protest movement of the sixties, taxpayers have a tendency to feel that almost everything that's wrong with society stems from the schools. So the schools have become a target for irate taxpayers, and censorship is one of their weapons.

Spiewak: It has been suggested that the parents who complain most about objectionable materials in classrooms usually come from the same socio-economic group—the lower middle class. Do you agree with that suggestion?

Jenkinson: Members of all segments of society—not just one particular group—have attempted to censor books and materials. In fact, I think it is safe to say that each and every adult in this country has censored books that his or her children can read or television programs they can see.

Spiewak: When you say that every adult may have censored books or programs for his or her children, are you implying that everyone is exercising the right of free choice?

Jenkinson: No. To me, free choice means that no one censors anything that anyone else sees or reads. The would-be censor, on the other hand, tries to manipulate authority to try to prevent students, let's say, from reading or seeing certain things. A person without authority is not technically a censor. But that person can pressure authority to censor materials.

When I said that every adult is a possible censor, I meant that every parent, at some time or another, screens the reading or televising of his or her child. The parent has the authority as well as the responsibility to do that for his or her child. But the critical question is this: Does the parent who objects to something his or her child is reading have the right to censor that material for all other children in a specific class or in a particular library? And I think the answer to that question is no.

Spiewak: What can parents do if they object to books their children have to read in class?

Jenkinson: I think they have the right, as well as the responsibility, to explain their complaint to the teacher and request that their children be permitted to read a different book of comparable quality on the same topic. I know a number of teachers who handle that kind of situation very well.

Spiewak: Who are the censors? Or, to phrase the question as you might, who are the people who exert pressure on authority to censor books or other teaching materials?

Jenkinson: That's a good question, but I fear that it will require a long answer.

First, we have the students. Some take books home and show their parents a few four-letter words or controversial ideas, knowing that the parents will explode. In some cases, I think the students are simply trying to get out of work or stir up trouble. Other students honestly object to books because the language or ideas offend them. But I think that teachers would find substitute books for those students if only the students would ask for them.

Second, we have those parents who are concerned with the language their children are reading or with the ideas they are being exposed to. I think parents have a legitimate concern about what their children see and hear. But the question that always arises in my mind is this: As a parent, do my rights of censorship or selection of materials for my children extend to the children of others? As I indicated earlier, I believe the answer to that question is no.

Third, there are some teachers who censor books. Sometimes teachers censor books for the same reasons that parents and students do; other times, I think teachers censor books out of fear. For example, in one very large school I know well, one parent objected quietly to *Of Mice and Men*. The teachers quit teaching that novel and removed it from the classroom shelves. When I mentioned this incident at a conference, a teacher from another school talked with me afterward and reported that the same thing occurred in the school in which she teaches.

I recently received correspondence about an incident in California in which a teacher objected to a phase elective course on literature of the supernatural and the occult. That teacher organized a group of parents to protest the course, but the principal prevailed and kept it in the curriculum.

The fourth group of censors are some school librarians. Many librarians, like many classroom teachers, fight any attempt at censorship. But others, perhaps out of fear of losing their jobs, quietly remove books from the library shelves.

Fifth, we have those school administrators who censor books without always having read them. In one case that was reported to me, a superintendent demanded that classroom teachers stop teaching *Flowers for Algernon* because a "leading citizen" objected to the book. The superintendent admitted that he had not read the entire book, but he ordered his teachers to stop teaching "that filthy book." In a second case, the superintendent in Oakland, California ordered *Daddy Was a Number Runner* removed from the junior high school library shelves on the basis of one parental complaint

and over the objections of her personally selected panel of experts. The grand irony in that incident is that the superintendent had been the director of the National Right to Read Program.

The sixth group of censors are school board members. In Island Trees, New York, the newly elected school board censored at least a dozen books. That case is in the courts. The school board in Strongsville, Ohio lost a case after removing books from the schools. Other school boards throughout the country have ordered books removed from classrooms or library shelves. Some have been successful; others, fortunately, have failed.

The seventh group of censors are the clergy. Several famous incidents have been precipitated by clergy. Probably the most famous is the Kanawha County, West Virginia battle that was ignited by a school board member who is the wife of a minister and fanned by several ministers. On the other hand, ten clergymen in Kanawha County fought attempts at censorship.

The eighth group of censors are the organizations that precipitate censorship incidents. Appendix VIII of James C. Hefley's *Textbooks on Trial* gives this information about Mel and Norma Gablers' Educational Research Analysts, Inc. in Longview, Texas: "As the major textbook clearing house, the Gablers have thousands of textbook reviews—their own, plus reviews from many other states. Most are by page, paragraph, and line, prepared by parents for parents, and consider the age level and knowledge of the student. They concentrate on pointing out questionable content . . ."

Other organizations that supply reviews for concerned parents are America's Future in New Rochelle, New York, the John Birch Society, PONYU (Parents of New York United), and the many "concerned citizens" groups that are springing up across the country.

Organizations actively involved in attempting to remove books that are racist or sexist are NOW and the Council on Interracial Books for Children.

Spiewak: What is being censored?

Jenkinson: I am tempted to answer that question by saying everything, and I wouldn't be too far wrong. But here are the titles of some books that have recently come under attack: *The American Heritage Dictionary*; *My Darling, My Hamburger*; *The Pigman*; *The Catcher in the Rye*; *Go Ask Alice*; *Flowers for Algernon*; *The Ginn 360 Reading Series*; *American English Today*; *Modern Grammar and Composition*; *Teenag Tales*; and *The Outsiders*. I could go on and on; the list is endless.

The would-be censors also object to films, to entire courses—such as the course on the literature of the supernatural and the occult that I already mentioned, to courses on death and dying, to various teaching methods, to values clarification, and to the students' having to write on any topic that might reflect personal opinions molded in the home.

Spiewak: That kind of blanket censorship leaves very little for the teacher to teach. Is that kind of attempt at censorship actually happening?

Jenkinson: I have here a petition that I first read in the February, 1975 issue of *The Arizona English Bulletin*. According to the editor of that bulletin, teachers in Tulsa, Oklahoma were receiving that petition when the bulletin was published. The petition reads in part:

You are hereby notified that _____ (name of student) is not allowed by the undersigned to participate in, or be subject to, instruction in any training or education in sex and/or sexual attitudes, human or animal reproductive biological development (exclusive of hygiene), sexuality according to the women's liberation movement, attitude development, self-understanding, behavioral modification, values clarification, values alteration, personal and family emotional development, introspective examination of social and cultural aspects of family life, including ethnic studies, group therapy or group criticism of one's self or other people, T-grouping or sensitivity training, drug education, morals and value judgments, or any combination or degree thereof, without the consent of the undersigned by express written and signed permission.

That petition virtually rules out the teaching of English as we know it. Any theme assignment could be construed to be attempts at "self-understanding" or "personal . . . emotional development," and many theme assignments could be construed to be "introspective examination of social and cultural aspects of family life." Literature can also be so construed. So that leaves the diagramming of sentences which, I was told, teachers of English in a heavily censored school system found to be the one safe activity they could assign to students.

When I read that petition to students in my methods class in September of 1976, they thought I was "putting them on." They could not believe that anyone would distribute such a petition. Two weeks after I read it, I gave them the same mimeographed petition—only this time I noted that it had been distributed in Culver, Indiana, and it was reprinted in the Culver newspaper on September 22, 1976.

Spiewak: The fact that the petition first appeared in Tulsa and then Culver indicates that it might have come from a common source. Do you think that is possible?

Jenkinson: Yes. I have already referred to James C. Hefley's *Textbooks on Trial*, a book about Mel and Norma Gabler and the organization that they call Educational Research Analysts, Inc. Let me read three sentences from Appendix X of that book: "The Gablers can provide much printed material. In addition to the textbook reviews covered in Appendix VIII, they have over 300 forms pertaining to textbook content and related problems. This material is available upon request on a contribution basis."

Spiewak: Have you seen other petitions or forms that have been distributed to more than one school system?

Jenkinson: Yes. I have here a bill of particulars that was issued to the Delphi (Indiana) Community School Corporation on November 19, 1974. Several teachers have told me that their school systems received the same bill of particulars. I know that it has been issued to school boards in at least five states.

Let me read six items from that bill of particulars:

—To remove all Sociology books from all schools—Grades K-12. This includes all books presenting sociological ideas for the promotion of sociological purposes which are Anti-Christian, Anti-American, Anti-parent, and Immoral.

—To remove all books teaching values, attitudes and beliefs which subvert parental authority, Judaeo-Christian values and religious beliefs. This refers to the teaching of the doctrine and religion called humanism.

—To see that no psychological methods or psychiatric methods are practiced in our public schools. This includes role playing, sensitivity training or any other method dealing with probing the psyche of the pupils.

—Return to basic traditional education, teaching students how to read, write, spell, do arithmetic, plus a thorough knowledge of American history and the American heritage. Also teach each child the basics of the free enterprise system, profit and loss, and the fundamentals of our government operating in a Constitutional Republic.

—To inform the teachers of the school corporation as to the truth of Sociology, PPBS, M:ACOS (Man: A Course of Study) and other detrimental programs.

—To not allow teachers or school personnel to attend psycho-social training meetings or sessions of any kind.

Fortunately for education, the Delphi School Board and other school boards have successfully rejected that bill of particulars. But they may not always be able to do so—particularly if those items become parts of bills passed by state legislatures.

Spiewak: Do you think there is any possibility of such legislation?

Jenkinson: I hope not, but there have certainly been attempts. For example, Senators Joan Gubbins and Katie Hall introduced Senate Bill 48 into the Indiana Senate on January 5, 1977. The major portions of that bill read as follows:

All teaching materials may not degrade, and where appropriate shall teach high moral standards including: (1) honesty, (2) acceptance of responsibility, (3) respect for the individuality of others, (4) respect for parents and those properly in authority, (5) the importance of the work ethic in achieving personal goals, and (6) the existence of absolute values of right and wrong.

Teaching materials may not contain either profane statements, or disrespectful statements or pictures regarding the religious or ethical beliefs of others.

Teaching materials shall: (1) emphasize the family as the core of American society; (2) present the historical, philosophical, ethical, religious and other underpinnings which influences the political institutions of this country and which have preserved the liberties of the American people; (3) include the principles of the free enterprise system and the effectiveness of the system; (4) demonstrate the importance of obeying the law; and (5) be designed to foster the intellectual development of the child by providing instruction in reading, writing, and arithmetic, and by cultivating the mind to seek the knowledge produced through centuries of academic endeavor.

Teaching materials may not present sadistic or degrading behavior. Presentations of violence shall be made in the context of the consequences of the violence.

Teaching materials shall not invade the privacy of the pupil, the pupil's home and parents.

Only textbooks which meet the requirements of this section may be adopted by the commission on textbook adoptions for use in the public schools.

Each superintendent, assistant superintendent, principal or supervisor who willfully or negligently permits the use of teaching materials in violation of this section in a school under his supervision, shall be dismissed from his employment.

The bill notes that teaching materials "means all textbooks, books, magazines, pamphlets, recordings or displays used by public school pupils for instructional purposes. The term does not include any materials kept in the school library."

That bill failed in the Senate Education Committee as did Senate Bill 149, which was introduced by Senator Gubbins on January 6, 1975. Bill 149 called for the abolition of "the use of group therapy or sensitivity training in which a student's intimate or personal feelings, emotions, values or beliefs are openly exposed to a group, or where roles are assigned to students for the purpose of classifying, controlling, or predicting behavior."

Senator Gubbins also introduced Senate Bill 147 into the Indiana Senate on January 6, 1975. The third section of that bill reads as follows:

It shall be unlawful for any person to teach or instruct in any public school of this state disobedience to lawful parental authority nor shall any person attempt to subvert or ridicule the religious, political, or moral values or beliefs of any person through instruction given in the public schools of this state.

On first reading, that bill doesn't sound too bad. But when one takes the time to read it carefully, one realizes that it, in effect, would prohibit the teaching of any literature that depicts conflict between parents and children, conflict over political ideologies, or conflict over moral issues. That bill also failed to pass the Senate Education Committee.

I could go on reading parts of other bills introduced in the Indiana Senate or the House of Representatives, but I don't think that is necessary to illustrate my point. All that I want to show is that the bills I just referred to and others introduced in the General Assembly are remarkably similar to the petitions that have been introduced in Indiana and other states.

Spiewak: Are you implying that the ideas seem to flow from a common source or sources?

Jenkinson: You might draw that conclusion.

Spiewak: Another recent movement in education is the back-to-basics phenomenon. Is there any connection between the movement and the current wave of censorship?

Jenkinson: I think so. If I may refer again to *Textbooks on Trial*, I would like to read this short paragraph:

Norma and Mel are continually asked if they believe the current trends in textbooks will be reversed. They are guardedly optimistic. "I think the pendulum is swinging our way," Norma says. "If the movement keeps gaining strength, we'll be going back to the basics—learning skills, traditional math, phonics, morality, patriotism, history that is really history, science that is science, and fair play for free enterprise economics."

I would also like to read the guidelines for adopting textbooks in Kanawha County, West Virginia. This is part of "A Policy Statement of the Kanawha County Board of Education."

1. Textbooks for use in the classrooms of Kanawha County shall recognize the sanctity of the home and emphasize its importance as the basic unit of American society.

Textbooks must not intrude into the privacy of students' homes by asking personal questions about inner feelings or behavior of themselves or their parents, or encourage them to criticize their parents by direct question, statement or inference.

2. Textbooks must not contain profanity.
3. Textbooks must respect the right of ethnic, religious or racial groups to their values and practices and not ridicule those values or practices.
4. Textbooks must not encourage or promote racial hatred.
5. Textbooks must encourage loyalty to the United States and the several states and emphasize the responsibilities of citizenship and the obligation to redress grievance through legal processes.

Textbooks must not encourage sedition or revolution against our government or teach or imply that an alien form of government is superior.

6. Textbooks shall teach the true history and heritage of the United States and of any other countries studied in the curriculum. Textbooks must not defame our nation's founders or misrepresent the ideals and causes for which they struggled and sacrificed.
7. Textbooks used in the study of the English language shall teach that traditional rules of grammar are a worthwhile subject for academic pursuit and are essential for effective communication among English speaking people.

If I may refer again to *Textbooks on Trial*, James C. Hefley writes on page 166:

Responding to an urgent West Virginia request, the Gablers flew to Charleston on October 5 for a whirlwind six-day speaking campaign. Both spoke at a city-wide rally to an estimated 8,000 persons the next afternoon (Sunday) in the Charleston ball park. The next day they separated, and were chauffeured up and down the valley, each speaking twice daily to groups of concerned parents.

On page 171, Hefley notes:

The board met on November 21 under pressure and voted two stunning policies on future adoption procedures. With Mrs. Moore forcing a point-by-point vote, the first spelled out guidelines similar to the Texas requirements which the Gablers had sent. (Here Hefley lists the guidelines that I just read from the Kanawha County Board of Education.)

The second called for parent-teacher screening committees: Each board member would appoint three parents and one teacher to a screening committee for each subject area requiring new books in any given year . . .

Hefley does not note that the teachers on the screening committee must "make application to serve . . ." However, the parents, who outnumber the teachers three to one, do not have to make application to serve. Rather, each board member appoints three parents and then appoints one teacher from the list of applicants.

In *Kanawha County West Virginia: A Textbook Study in Cultural Conflict*, Dorothy C. Massie, writing for the Inquiry Panel of the National Education Association, makes these observations about the Kanawha County textbook guidelines:

The first of these guidelines—requiring textbooks to recognize the sanctity of the home—conveys a value that the Board of Education has directed the schools to impart. It is an admirable value, although some very admirable writings—including some of the writings of Shakespeare and Dickens, and some portions of the Holy Bible—if taken out of context, might fail to meet this criterion.

There is, in fact, not one of the adopted guidelines that is value-free. Nor can there be by any literature that is value-free, for literature contains ideas; and ideas concern values. The only way in which a school system could approach neutrality would be to offer students a random multiplicity of literature and ideas and values, and permit them to select and read randomly with no guidance from teachers; and no one is proposing this.

It must be assumed then that the anti-text leaders in Kanawha County are equating a "neutral" education with an education that is simply non-controversial, according to their own values and traditions.

If the recently adopted guidelines were interpreted in the way that the Textbook Review Committee Splinter Group appears to have interpreted them in its review of the disputed texts, the enforcement of the guidelines would impose upon the public schools the task of indoctrinating students to one system of cultural and religious values, inflexible and unexamined.

Retention of the guidelines could prohibit future history texts from telling the true story of Watergate because that story might cause some students to question the superiority of our government to all others; and it would surely, if told truly, contain profanity. Enforcement of these criteria could prevent history books from telling the true story of the black experience in this country, or of how the West was won, because those stories might offend the dominant race in this nation, might defame the nation's founders, and might induce students to question the opportunity that the nation has provided for the redress of grievances through legal processes. The guidelines would undoubtedly exclude from any future textbook the history of the present controversy in Kanawha County. Such a history, if truly told, would contain profanity and it would perhaps encourage racial hatred. If told from the viewpoint of the text opponents, it would clearly violate the guidelines concerning the "obligation to redress grievances through legal processes."

In short, the enforcement of these guidelines, as they are likely to be interpreted by their proponents, would destroy education in the Kanawha County Public Schools. Moreover, the textbook adoption procedures recently approved by the Board offer a method by which such a result could probably be accomplished.

I apologize for reading such long quotations in response to your question, but I did so for a purpose. I think that if a person carefully studies the petitions I mentioned earlier, then reads *Textbooks on Trial* and the various reports on the Kanawha County textbook battle, that he or she can only conclude that several sources are fanning the coals of the censorship fires in this country and that those sources are using the back-to-basics movement as one censorship weapon.

Spiewak: I think you made your point quite well. Now before we conclude this interview, are there any other points you care to make? Are there any areas that I did not touch on in the questions?

Jenkinson: I think students, teachers, and parents who want public education to be good education should start speaking out instead of remaining quiet or speaking up only when an incident occurs. Students need to be

aware of their right to know, and they should insist on that right. They cannot be denied access to educational materials and to ideas. They need to speak out whenever the censor stalks through their territory, and many of them have already done so quite eloquently. And parents need to speak out and demand quality education. Parents need to become informed and they need to be aware of the specter of censorship.

Every teacher must be familiar with the guidelines for selecting materials and the guidelines for dealing with complaints that have been prepared by the National Council of Teachers of English, the American Library Association, and other professional organizations. Every teacher in this country should have a copy of Ken Donelson's *The Students' Right to Read* (available from NCTE) on his or her desk, and he or she should see to it that every administrator and every school board member has a copy. Every department of English should have a printed statement of philosophy as well as rationales for every major book that is taught in every course.

Finally, every teacher should be concerned about censorship. No one dares to sit back and say, "It can't happen here." It has already happened in many cities and towns that no one thought would be a target for the censors. I could recite a long, long list of large cities and small towns that have experienced censorship, but I will spare your tape recorder that burden. Rather, let me conclude by saying that no teacher can afford to become complacent. No teacher dare think that censorship is something that occurs only in another town or in another state. No teacher dare think that the censors will ignore Peaceful Valley High School.